



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640 ♦ 989.837.3300 * 989.837.2717 Fax ♦ www.midland-mi.org

REGULAR MEETING OF THE MIDLAND CITY COUNCIL
City Hall, 333 W. Ellsworth Street

February 24, 2014

7:00 p.m.

AGENDA

CALL TO ORDER - [Maureen Donker, Mayor](#)

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL - Thomas W. Adams
J. Dee Brooks
Diane Brown Wilhelm
Maureen Donker
Marty A. Wazbinski

CONSIDERATION OF ADOPTING CONSENT AGENDA ITEMS:

All resolutions marked with an asterisk are considered to be routine and will be enacted by one motion. There will be no separate consideration of these items unless a Council member or citizen so requests during the discussion stage of the “Motion to adopt the Consent Agenda as indicated”. If there is even a single request the item will be removed from the consent agenda without further motion and considered in its listed sequence in regular fashion.

APPROVAL OF MINUTES:

1. [* Approve minutes of the February 10 regular City Council meeting. TISDALE](#)

PROCLAMATIONS, AWARDS, RECOGNITIONS, PRESENTATIONS:

PUBLIC HEARINGS:

PUBLIC COMMENTS, IF ANY, BEFORE CITY COUNCIL. (Please sign up with City Clerk before meeting). This is an opportunity for people to address the City Council on issues that are relevant to Council business but are not on the agenda.

ORDINANCE AMENDMENTS:

RESOLUTIONS:

2. [* Receiving and filing the City Attorney's Report on the Annual Review of Liquor Licenses in the City of Midland. BRANSON](#)

3. Referring to the Midland Downtown Development Authority a request from SSP Associates to acquire City owned property for determination whether the property is needed for City or public purposes. LYNCH
4. * Approving an extension of time for completion of sidewalk in City Forest Estates Subdivision No. 1. KAYE
5. * Approving an extension of time for completion of sidewalk in City Forest Estates Subdivision No. 2. KAYE
6. * Receiving and filing the 2014 Annual Sidewalk Report. MCMANUS
7. * Naming the City Manager as Transportation Coordinator and stating the City's intentions to provide public transportation services and apply for Federal and State Financial Assistance. MURPHY
8. Authorizing City staff to work with the Midland Area Community Foundation and Leathers Associates to complete the renovation of the Fun Zone in Plymouth Park. MURPHY
9. * Approving a contribution from the City's General Fund to help fund the community-wide strategic planning effort. KEENAN
10. * Approving a budget transfer to provide funding for the purchase of property at 402 Towsley Street, and authorizing the actual purchase of the property. KAYE

Considering purchases and contracts:

11. * Change Order from Three Rivers Corporation for interior improvements at the Grace A. Dow Memorial Library. BARNARD
12. * 2014 Ashman and Washington Street Reconstruction Project Management and Construction Engineering Services. MCMANUS
13. * 2014 Wallen Street Reconstruction and Water Main; Contract No. 14. MCMANUS
14. * Larkin Water Tower Painting. BUSH
15. * Diesel Fuel Purchase of February 14 (4/5 vote required). MURPHY
16. * Change Order to CivicPlus for website redesign and hosting services. UNDERHILL

Setting a public hearing:

17. * Amendment to the Washington Woods Fund budget to recognize additional revenue in Community Development Block Grant funds (3/10). BALIS
18. * Review of a grant application to Michigan Natural Resources Trust Fund to support a riverfront renovation in upper Emerson Park (3/10). MURPHY

19. [* Zoning Petition No. 589 - to amend the City of Midland zoning map by rezoning the property located at 6200 Eastman Avenue from Office Service zoning to Regional Commercial zoning \(3/24\). KAYE](#)

NEW BUSINESS:

TO CONTACT THE CITY WITH QUESTIONS OR FOR ADDITIONAL INFORMATION:

Citizen Comment Line:	837-3400
City of Midland website address:	www.midland-mi.org
City of Midland email address:	cityhall@midland-mi.org
Government Information Center:	located near the reference desk at the Grace A. Dow Memorial Library

Attached documents for item Maureen Donker, Mayor

Attached documents for item * Approve minutes of the February 10 regular City Council meeting. TISDALE

February 10, 2014

A regular meeting of the City Council was held on Monday, February 10, 2014, at 7:00 p.m. in the Council Chambers of City Hall. Mayor Donker presided. The Pledge of Allegiance to the Flag was recited in unison.

Councilmen present: Thomas Adams, J. Dee Brooks, Diane Brown Wilhelm, Maureen Donker, Marty Wazbinski
Councilmen absent: None

MINUTES

Approval of the minutes of the January 27, 2014 regular meeting was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks. (Motion ADOPTED.)

GOVERNOR'S REGIONAL PROSPERITY INITIATIVE

City Manager Jon Lynch introduced Sue Fortune, Executive Director of the East Michigan Council of Governments, who spoke regarding the request for a letter of support for the Governors Regional Prosperity Initiative. The following resolution was offered by Councilman Adams and seconded by Councilman Wazbinski:

RESOLVED, that the Mayor is authorized to sign a letter of support for the East Michigan Council of Governments – Governor's Regional Prosperity Initiative. (Motion ADOPTED.)

PUBLIC COMMENTS

No public comments were made.

SITE PLAN NO. 325

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

WHEREAS, the City Council has received the recommendation of the City Planning Commission for approval of Site Plan No. 325, the request of Jerome A. Schafer on behalf of Rapanos Family LC for site plan review and approval for a 20,900 square foot self storage unit, located at 1547 Washington Street; and

WHEREAS, the City Council has reviewed the proposed Site Plan No. 325 in accord with the provisions set forth in Sections 27.02(A) and 27.06(A) of the Zoning Ordinance of the City of Midland; now therefore

RESOLVED, that the City Council does hereby approve Site Plan No. 325, contingent upon the following:

1. Detailed engineering drawings to the satisfaction of the City Water and Fire Departments shall be provided to ensure that water lines and fire hydrants are installed in compliance with city standards.
2. A final soil and sedimentation control plan shall be submitted to the City Building Department.
3. A final stormwater plan shall be submitted to the City Engineering Department and a stormwater management permit shall be obtained prior to construction.
4. Lighting fixture detail meeting the requirements of the City Zoning Ordinance must be submitted to the City Building Department.
5. Routine maintenance of the 10' wide greenbelt shall be provided.

(Motion ADOPTED.)

UNAPPROVED

SITE PLAN NO. 327

Community Development Planner Grant Murschel presented information on Site Plan No. 327 – Midland Place Apartments, consisting of three apartment buildings located at 2414 Swede Avenue. Nathan Waggoner of Cash Waggoner Associates spoke regarding the project. The following resolution was then offered by Councilman Brooks and seconded by Councilman Wazbinski:

WHEREAS, the City Council has received the recommendation of the City Planning Commission for approval of Site Plan No. 327, the request of Cash Waggoner & Associates on behalf of Midland Place Apartments, LLC for site plan review and approval of a development consisting of three apartment buildings. Each building will be four stories in height and contain 45 apartment units. The property is located at 2414 Swede Avenue; and

WHEREAS, the City Council has reviewed the proposed Site Plan No. 327 in accord with the provisions set forth in Sections 27.02(A) and 27.06(A) of the Zoning Ordinance of the City of Midland; now therefore

RESOLVED, that the City Council does hereby approve Site Plan No. 327, contingent upon the following:

1. A final storm water management plan shall be submitted for the review and approval of the City Engineering Department and a storm water management permit shall be obtained prior to construction.
2. A final soil and sedimentation control plan shall be submitted for the review and approval of the City Building Department.
3. Documentation supporting the permission to construct structures within the Consumers Energy right-of-way shall be provided to the satisfaction of the City Planning Department. Absent such documentation, the dumpster and shed locations as shown on drawing C-101A may be utilized.
4. All required utility easements shall be submitted to the City Water Department.

(Motion ADOPTED.)

COUNTY OF MIDLAND/CITY OF MIDLAND EMERGENCY OPERATIONS PLAN

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

WHEREAS, Section 35-3 of the Code of Ordinances of the City of Midland designates the Midland County Emergency Operations Plan as the City's emergency operations plan; and
WHEREAS, Section 35-8 of the Code of Ordinances requires the City Manager to review the effectiveness of the Midland County Emergency Operations Plan at least once every four years; and

WHEREAS, the Emergency Management Act (Public Act 390 of 1976, as amended) requires each county and every city over 25,000 in population to re-certify the emergency operations plan at least every four years; and

WHEREAS, the Midland County Emergency Services Director has requested that the City of Midland re-certify the County of Midland / City of Midland Emergency Operations Plan; now therefore

RESOLVED, that the City Council hereby approves the County of Midland / City of Midland Emergency Operations Plan as submitted and authorizes and directs the City Manager to certify said plan by his signature.

(Motion ADOPTED.)

UNAPPROVED

TRAFFIC CONTROL ORDER NO. P-13-04

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

RESOLVED, that Traffic Control Order No. P-13-04 filed December 2, 2013 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That parking shall be prohibited in the non-recessed parking areas on E. Main Street and State Street, from the Poseyville Road Bridge to Ellsworth Street.
is hereby made permanent. (Motion ADOPTED.)

TRAFFIC CONTROL ORDER NO. P-13-05

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

RESOLVED, that Traffic Control Order No. P-13-05 filed December 2, 2013 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That three hour parking shall be permitted in the recessed areas on both sides of Main Street, 340' southeasterly from Cronkright Street to State Street.
is hereby made permanent. (Motion ADOPTED.)

TRAFFIC CONTROL ORDER NO. P-13-06

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

RESOLVED, that Traffic Control Order No. P-13-06 filed December 2, 2013 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That three hour parking shall be permitted in the recessed areas on both sides of State Street, from Main Street to Ellsworth Street.
is hereby made permanent. (Motion ADOPTED.)

TRAFFIC CONTROL ORDER NO. P-13-07

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

RESOLVED, that Traffic Control Order No. P-13-07 filed December 2, 2013 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That stopping, standing and parking shall be prohibited on both sides of State Street from Indian Street to Ellsworth Street, and that all previous TCOs along this street segment are rescinded.
is hereby made permanent. (Motion ADOPTED.)

TRAFFIC CONTROL ORDER NO. P-13-08

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

RESOLVED, that Traffic Control Order No. P-13-08 filed December 2, 2013 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That three hour parallel parking shall be permitted on the southerly side of Ellsworth Street, from George Street to 330' easterly.
is hereby made permanent. (Motion ADOPTED.)

UNAPPROVED

TRAFFIC CONTROL ORDER NO. P-13-09

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

RESOLVED, that Traffic Control Order No. P-13-09 filed December 2, 2013 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That stopping, standing and parking shall be prohibited on the southeasterly side of Ellsworth Street, 330' southeasterly from George Street to State Street.
is hereby made permanent. (Motion ADOPTED.)

LITTLE FORKS CONSERVANCY CHARITABLE GAMING LICENSE

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

RESOLVED, that the request from The Little Forks Conservancy of Midland, county of Midland, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license, be considered for approval. (Motion ADOPTED.)

EAST END ENTERPRISES, LLC

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

WHEREAS, East End Enterprises, LLC is submitting application to the Michigan Liquor Control Commission for an on-premise Class C liquor license issued under PA 501 of 2006; and

WHEREAS, it is necessary that East End Enterprises, LLC be located within a development district as defined in PA 501 of 2006; and

WHEREAS, the Michigan Liquor Control Commission has determined that in addition to being located in a development district as defined by PA 501 of 2006, it is also necessary to certify that the property is located within the Downtown Development Authority (DDA) or Tax Increment Financing (TIF) district; now therefore

RESOLVED that the request submitted by East End Enterprises, LLC to be located at 715 E. Main Street, Suite 106, Midland, Michigan for an on-premise Class C liquor license issued pursuant to Section 521 a (1) (b) of PA 501 of 2006 be considered for approval above all others; and

RESOLVED FURTHER, that the City Council hereby certifies that the Downtown Development Authority of the City of Midland, Michigan is a development project area and that East End Enterprises, LLC to be located at 715 E. Main Street, Suite 106, Midland, Michigan is within the Downtown Development Authority and Tax Increment Financing district. (Motion ADOPTED.)

EAST END ENTERPRISES, LLC LIQUOR LICENSE

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

RESOLVED, that the application from East End Enterprises, LLC for the following license(s): on-premises Class C liquor license to be located at 715 E. Main Street, Suite 106, Midland, Michigan, Midland County and the following permit, if applied for:

☐ Banquet Facility Permit Address of Banquet Facility:

It is the consensus of this body that it recommends this application be considered for approval by the Michigan Liquor Control Commission. (Motion ADOPTED.)

UNAPPROVED

MIDLAND PUBLIC SCHOOLS FUEL SALES AGREEMENT

Director of Public Services Karen Murphy presented information on an agreement for the sale of fuel to Midland Public Schools. The following resolution was then offered by Councilman Brown Wilhelm and seconded by Councilman Adams:

WHEREAS, Midland Public Schools desires to purchase fuel from the City; and
WHEREAS, such a purchase is allowed in accord under Section 2-23 of the Code of Ordinances; and
WHEREAS, the City Attorney has drafted a purchase agreement to be used in this regard; now therefore
RESOLVED, that the City Manager is hereby authorized to enter into a purchase agreement to allow Midland Public Schools to purchase fuel at City cost plus 8%. (Motion ADOPTED.)

SMITTY'S SPRING FLING 5K RUN/WALK EVENT

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

RESOLVED, that the request from Matt Smith, Smitty's Iron Works, Inc., seeking permission to hold the Smitty's Spring Fling 5k Run/Walk fundraising event to support a Team USA athlete on Saturday, April 5, 2014, utilizing the Rail Trail and charging an entry fee, is hereby approved subject to the following conditions:

- We understand the responsible party and contact number for the event date is Matt Smith, 989-948-3738.
- Participants must remain on the Rail Trail and obey all traffic laws and traffic control devices as well as the Rail Trail Etiquette/Rules attached.
- Use of the Rail Trail is non-exclusive **and no markings of any type** (i.e., paint, spray paint, spray chalk, chalk, etc.) are permitted on the trail route surfaces.
- Directional signs must not obstruct the vision of vehicular and pedestrian traffic. Any signage must be promptly removed after the event is completed.
- The Farmers Market restrooms will be open and stocked for the event.
- City will review need for cost recovery for City expenses if event requires unique or non-standard efforts on City's part.

; and

RESOLVED FURTHER, that the Administrative Staff is hereby authorized to approve future requests for the event provided it is conducted in substantially the same manner. (Motion ADOPTED.)

UNLEADED FUEL PURCHASE

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

WHEREAS, City Council adopted a resolution on December 17, 2007 that allows the Purchasing Agent to purchase full tankers of unleaded gasoline and diesel fuel exceeding \$20,000, and seek approval for the purchase at the next City Council meeting; and
WHEREAS, City Council reviewed the process on December 21, 2009 and decided to continue as it still provides a significant cost savings to the City; and
WHEREAS, the volatility of the fuel market does not allow for staff to follow the usual sealed bid process for purchases exceeding \$20,000; and
WHEREAS, staff instead uses a competitive bid process whereby fuel vendors fax in prices that are valid for a particular day with the bid awarded to the lowest priced vendor; now therefore
RESOLVED, that the requirements for sealed proposals for the purchase of fuel are waived due to the volatility of the fuel market; and

UNAPPROVED

RESOLVED FURTHER, that the purchase of 13,395 gallons of E10 ethanol blend unleaded fuel from Foster Oil of Richmond, Michigan for \$35,459.24 executed by the Purchasing Agent on January 23, 2014, is hereby approved. (Motion ADOPTED.)

DIESEL FUEL PURCHASE

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

WHEREAS, City Council adopted a resolution on December 17, 2007 that allows the Purchasing Agent to purchase full tankers of unleaded gasoline and diesel fuel exceeding \$20,000, and seek approval for the purchase at the next City Council meeting; and
WHEREAS, City Council reviewed the process on December 21, 2009 and decided to continue as it still provides a significant cost savings to the City; and
WHEREAS, the volatility of the fuel market does not allow for staff to follow the usual sealed bid process for purchases exceeding \$20,000; and
WHEREAS, staff instead uses a competitive bid process whereby fuel vendors fax in prices that are valid for a particular day with the bid awarded to the lowest priced vendor; now therefore
RESOLVED, that the requirements for sealed proposals for the purchase of fuel are waived due to the volatility of the fuel market; and
RESOLVED FURTHER, that the purchase of 13,397 gallons of Winter Blend diesel fuel from Paxson Oil Co. of Saginaw, Michigan for \$44,330.67 executed by the Purchasing Agent on January 28, 2014, is hereby approved. (Motion ADOPTED.)

ANNUAL CONCRETE PURCHASE

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for concrete and related materials; and
WHEREAS, sufficient funds are included in the Operating Supplies line item in General Fund and Street Fund activities and the total amount of purchases will not exceed the funding; now therefore
RESOLVED, that the City Purchasing Agent is authorized to issue a purchase order to Elmers Crane and Dozer, Inc. of Traverse City, Michigan for furnishing concrete and related materials at the unit prices contained in their January 21, 2014 response to our Bid No. 3589 in accord with the proposal and the City specifications. (Motion ADOPTED.)

ANNUAL BITUMINOUS MIXTURE PURCHASE

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for furnishing bituminous materials; and
WHEREAS, funds have been provided in the Local and Major Street Fund budgets; now therefore
RESOLVED, that the City Purchasing Agent is authorized to issue purchase orders to Pyramid Paving & Contracting Co. of Bay City, Michigan and Ace-Saginaw Paving Co. of Saginaw, MI for furnishing and loading onto City trucks approximately 800 tons of Bituminous Mixture #2 for hot mix patching at a cost of \$50.00 per ton in accordance with the proposal and City specifications. (Motion ADOPTED.)

UNAPPROVED

ANNUAL CRUSHED LIMESTONE PURCHASE

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for furnishing 22A Crushed Limestone; and

WHEREAS, funds have been provided in the General Fund and Local and Major Street Fund budgets; now therefore

RESOLVED, that the City Purchasing Agent is authorized to issue a purchase order to Bunting Sand & Gravel Products, Inc. of West Branch, Michigan for delivering approximately 2,500 tons of 22A Crushed Limestone at a cost of \$13.00 per ton in accordance with the proposal and City specifications. (Motion ADOPTED.)

ANNUAL SAND PURCHASE

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for furnishing Class II Sand; and

WHEREAS, funds have been provided in the General Fund and Local and Major Street Fund budgets; now therefore

RESOLVED, that the City Purchasing Agent is authorized to issue a purchase order to Pats Gradall Service, Inc. of Midland, Michigan for delivering approximately 3,500 cubic yards of Class II Sand at a cost of \$5.75 per cubic yard in accordance with the proposal and City specifications. (Motion ADOPTED.)

2014 SURFACE TREATMENT PROGRAM CONTRACT EXTENSION

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

WHEREAS, City Council awarded a construction contract for the 2013 Surface Treatment Program; Contract No. 4 to Highway Maintenance, Inc. on April 29, 2013 for surface treatment applications on various major streets and local streets; and

WHEREAS, Highway Maintenance, Inc. has agreed to complete work for the 2014 Surface Treatment Program for the unit prices that were bid in 2013 in the amount of \$600,000.00; and

WHEREAS, funding for this work is provided by the Major Street Fund and the Local Street Fund; now therefore

RESOLVED, that the City Manager is authorized to approve a change order to the 2013 Surface Treatment Program; Contract No. 4 and issue a purchase order to Highway Maintenance, Inc. of Romulus, Michigan for the 2014 Surface Treatment Program in the amount of \$600,000.00. (Motion ADOPTED.)

PO INCREASE – LANDFILL SEWER PUMP STATION CONSTRUCTION

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Brooks:

WHEREAS, the project to replace the existing Landfill sewer pump station is nearing the Construction Phase, and will be performed partially by a contractor and partially by City personnel; and

WHEREAS, in March 2013, the City administratively approved a purchase order in the amount of \$20,000.00 to Stantec Consulting Michigan Inc. of Ann Arbor to provide pump station Design Phase engineering, which consisted of the design of a replacement to the existing Landfill sewer pump station with a new triplex submersible pump station; and

UNAPPROVED

WHEREAS, the Construction Phase of the Landfill sewer pump station replacement project is set to begin, and City staff is preparing for assistance to provide Construction Phase engineering oversight; and

WHEREAS, Stantec proposes to perform engineering services for the City of Midland for the construction administration and construction observation during the Construction Phase of the pump station improvements at a proposed cost of \$28,000.00; and

WHEREAS, staff believes that Stantec is in the best position to provide Construction Phase engineering services for this project and is satisfied with the proposed cost for the services; and

WHEREAS, funding is provided for this purpose in Landfill Capital Project LF1303 – Landfill Sewer Pump Station; now therefore

RESOLVED, that an increase of \$28,000.00 to the existing purchase order of \$20,000.00 to Stantec Consulting Michigan Inc., is hereby authorized, bringing the total purchase order to \$48,000.00 for Construction Phase engineering services for the Landfill sewer pump station replacement. (Motion ADOPTED.)

Being no further business the meeting adjourned at 7:50 p.m.

Selina Tisdale, City Clerk

Attached documents for item * Receiving and filing the City Attorney's Report on the Annual Review of Liquor Licenses in the City of Midland. BRANSON

SUMMARY REPORT TO MANAGER
for City Council Meeting of February 24, 2014

SUBJECT: CITY ATTORNEY'S ANNUAL REVIEW OF ALCOHOLIC BEVERAGE
LICENSES FOR CONSUMPTION ON THE PREMISES

RESOLUTION SUMMARY: This resolution receives and files the City Attorney's Report on
the status of liquor licenses in the City of Midland.

ITEMS ATTACHED:

1. Letter of transmittal.
2. City Attorney's Report.
3. Police Department's Report.
4. Resolution.

COUNCIL ACTION:

1. 3/5 vote required to approve resolution.

James O. Branson III
City Attorney



City Hall • 333 West Elsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

February 19, 2014

Jon Lynch
City Manager
City of Midland
Midland, MI 48640

Dear Mr. Lynch:

Attached please find a report prepared by the City Attorney's office in compliance with the annual liquor license review specified in Section 15-250 of the City of Midland Code of Ordinances.

Included in the report is:

- a list of actions taken by the City Council involving liquor licenses over the past year,
- a listing of criteria used in evaluating each license with corresponding information on any violations by license holders over the past year,
- a list of all liquor licenses issued in the City of Midland and the status of each license, and
- a report by the Police Department indicating law enforcement activity at each licensed establishment.

Section 15-253(7) of the Code of Ordinances states during the annual review, the City Manager shall notify each escrowed license holder that the escrowed license must be activated prior to the end of the third consecutive year the license is in escrow, and that if a license remains in escrow after two (2) consecutive years, the City Manager shall initiate the revocation process in Section 15-254 six (6) months prior to the third consecutive anniversary of the date the license was placed in escrow by the Liquor Control Commission. This year's report indicates that the following licenses remains in escrow:

Business	Address	Escrow Date
Damon's Grill	6801 Eastman Ave.	February 2, 2012
Currie Municipal Golf Course	1300 Currie Parkway	Seasonal Closing

It should be pointed out that the Liquor Control Act now allows a license to be in escrow for up to five consecutive years before action is taken to revoke the license. This provision supersedes the three year limit in the City's ordinance.

Please note that Section 12-253(7) of the Code of Ordinances will be reviewed and updated to comply with the Liquor Control Act.

Mr. Lynch
February 19, 2014
Page 2

Section 15-253(9) of the Code of Ordinances states that non-payment of any taxes due the municipality on properties holding a liquor license is grounds for non-renewal or revocation. The following license holders are currently delinquent in personal property taxes due the City:

Decker's Lounge and McNamara's Pub have failed to pay their Winter 2013 personal property taxes.

Attached for your consideration is a resolution that will receive and file the attached report. If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, reading "James O. Branson III". The signature is fluid and cursive, with the first name "James" being the most prominent.

James O. Branson III
City Attorney

JOB/blm

Attachments

**City of Midland Liquor License Ordinance
on Alcoholic Beverage Licenses
for Consumption on the Premises**
City Attorney's Annual Review
February 24, 2014

Division 3 of the **City of Midland Liquor License Ordinance on Alcoholic Beverage Licenses for Consumption on the Premises** is entitled **Renewal and Revocation of Licenses**.

Section 15-250 requires the City Manager to cause an annual review of each licensee.

Section 15-252 requires the City Manager, at least 60 days before a license is due for renewal or at any time in the case of a possible recommendation for revocation, to inform the licensee of the City Manager's intent to recommend to the City Council that the City should or should not file an objection with the Liquor Control Commission concerning renewal or a recommendation of revocation.

Section 15-253 sets forth the basis upon which a recommendation is made by the City Manager and the City Council to the Liquor Control Commission. This report is intended to meet the requirements set forth in Section 15-250 as well as provide an annual report of various transactions relating to liquor licenses in the City of Midland.

During 2013 the City Council considered the following items pertaining to liquor licenses in the City of Midland:

February 25, 2013

Received and filed City Attorney's report on the annual review of Class C, D, and Resort Liquor Licenses.

May 20, 2013

Recommended approval of the request from Bald Foods, Inc. for an on-premise Class C liquor license issued pursuant to Section 521a(1)(b) of PA 501 of 2006 to be located at 134 Ashman Street and further certified that the Downtown Development Authority (DDA) is a redevelopment project area and that said address is located within the DDA and Tax Increment Financing (TIF) area.

September 30, 2013

Recommended approval of the request to transfer ownership of an escrowed Resort Class C license located at 101 E. Main, Mecosta, MI 49332, from Chemical Bank to Midland Country Club, to transfer location and governmental unit to 1120 W. St. Andrews, Midland, MI 48640, Midland County.

All liquor licenses within the City of Midland were evaluated in accord with Section 15-253 of the Ordinance that reads as follows:

In connection with any recommendation made by the City Manager to the City Council pursuant to Section 15-250 concerning non-renewal or revocation of a liquor license and any subsequent decision by the City Council to recommend non-renewal or revocation of a liquor license to the Commission, both the City Manager and the City Council shall make said recommendations on the basis of whether any one or more of the following exists or has occurred:

- 1. Maintenance of a nuisance upon the premises;*
- 2. Failure to comply with the requirements of the Michigan Liquor Control Act or the administrative rules of the Commission;*
- 3. Failure to comply with any federal law, state statute or city ordinance in the conduct of its business;*
- 4. Failure to comply with any of the other requirements of this ordinance;*
- 5. Failure to comply with any promises or statements made by the applicant for a license to the City Council at the time the liquor license was approved by the City Council or the failure to comply with any conditions imposed upon the applicant in connection with the approval of said license by the City Council; or*
- 6. A knowingly false statement made in the application for a liquor license by the applicant or the applicant's agent or assign in the application, non-renewal or revocation procedure.*
- 7. Non-use of the liquor license for a consecutive period of time of three (3) or more years from the time the liquor license is first placed into escrow with the Liquor Control Commission. (The term "non-use" shall be interpreted to mean the absence of actual use or utilization of a specific Class "C" liquor license or a specific liquor license other than a Class "C" liquor license which also permits consumption of alcoholic beverages on the premises in connection with the actual operation of a primary business activity as the latter term is described in Section 15-220.) During the annual review, the City Manager shall notify each escrowed license holder that the escrowed license must be activated prior to the end of the third consecutive year the license is in escrow. If a license remains in escrow after two consecutive years, the City Manager shall initiate the revocation process in Section 15-254 six (6) months prior to the third consecutive anniversary of the date the license was placed in escrow by the Liquor Control Commission.*
- 8. Failure to have implemented procedures to prevent alcohol abuse on its premises or related to its premises by instituting a program such as Training for Intervention Procedures by Servers of Alcohol (T.I.P.S.), Techniques of Alcohol Management (T.A.M.) or the Management/Server Awareness Program.*
- 9. Non-payment of any taxes due the municipality on properties holding a liquor license.*

Following is a report on each of the preceding criteria used in the evaluation of compliance for the purposes of non-renewal or revocation:

1. Maintenance of a nuisance upon the premises.

See police department report.

2. Failure to comply with the requirements of the Michigan Liquor Control Act or the administrative rules of the Commission.

There were no licenses that failed to comply with the requirements of the Michigan Liquor Control Act or the administrative rules of the Commission.

3. Failure to comply with any federal law, state statute or city ordinance in the conduct of its business.

See police department report.

4. Failure to comply with any of the other requirements of this ordinance.

See police department report.

5. Failure to comply with any promises or statements made by the applicant for a license to the City Council at the time the liquor license was approved by the City Council or the failure to comply with any conditions imposed upon the applicant in connection with the approval of said license by the City Council.

See police department report.

6. A knowingly false statement made in the application for a liquor license by the applicant or the applicant's agent or assign in the application, non-renewal or revocation procedure.

See police department report.

7. Non-use of the liquor license for a consecutive period of time of three (3) or more years from the time the liquor license is first placed into escrow with the Liquor Control Commission. (The term "non-use" shall be interpreted to mean the absence of actual use or utilization of a specific Class "C" liquor license or a specific liquor license other than a Class "C" liquor license which also permits consumption of alcoholic beverages on the premises in connection with the actual operation of a primary business activity as the latter term is described in Section 15-220.) During the annual review, the City Manager shall notify each escrowed license holder that the escrowed license must be activated prior to the end of the third consecutive year the license is in escrow. If a license remains in escrow after two consecutive years, the City Manager shall initiate the revocation process in Section 15-254 six (6)

months prior to the third consecutive anniversary of the date the license was placed in escrow by the Liquor Control Commission.

There were no licenses that failed to comply with this section of the ordinance.

Currently, there are two licenses in escrow, Damon's Grill, which was placed in escrow in 2012 and the Currie Municipal Golf Course which is placed into escrow annually for seasonal closing.

- 8. Failure to have implemented procedures to prevent alcohol abuse on its premises or related to its premises by instituting a program such as Training for Intervention Procedures by Servers of Alcohol (T.I.P.S.), Techniques of Alcohol Management (T.A.M.) or the Management/Server Awareness Program.**

There were no licenses that failed to comply with this section of the ordinance.

- 9. Non-payment of any taxes due the municipality on properties holding a liquor license.**

Decker's Lounge and McNamara's Pub have failed to pay their Winter 2013 personal property taxes.

10. City Attorney's Recommendation

That no action be taken against any license holders at this time.

**MIDLAND POLICE
DEPARTMENT
LIQUOR CONTROL REPORT**



2013



Police Department • 2727 Rodd Street • Midland, Michigan 48640-4474 • 989.631.5716 • 989.839.4734 fax • citypolice@midland-mi.org

DATE: FEBRUARY 18, 2014

TO: JON LYNCH, CITY MANAGER

FROM: JAMES HURD, DETECTIVE LIEUTENANT

TOPIC: ANNUAL LIQUOR LICENSE REPORT

The following is a report of the law enforcement activities involving licensed liquor establishments within the City of Midland for the calendar year, 2013.

The majority of the licensed establishments serving and selling alcoholic beverages within the City of Midland remained in compliance with the Michigan Liquor Control Commission regulations as well state and local statutes and rules.

Throughout the year the Patrol Division continued the practice of random, unannounced inspections of establishments. Included with these inspections were undercover and decoy operations conducted by the LCC, which also conducts compliance checks with local businesses where alcohol is sold. The Midland Police Department is notified of any violations the LCC discovers.

The LCC conducted a decoy compliance check On January 12, 2013. Two violations were cited. Oscars Restaurant and Entertainment and The Eastman Road Party Store. Two additional violations were submitted by the Midland Police Department to the LCC for the violation of serving alcohol to and intoxicated person. One violation took place at Buffalo Wild Wings, and one violation took place at Oscars.

The LCC reported additional violations involving The Downtown Diner, LLC. (D.B.A. Wise Guys). The LCC cited the following violation charges: "MCL 436.1205(10) Purchase of more than 9 liters of spirits from SDD licensees in a month (3 counts); MCL 436.1901(6) Purchase of beer from an Unauthorized Source (6 counts.) These violations occurred during the month of December 2012, April 2013, May 2013 and June 2013."

TABLE OF CONTENTS

DEFINITION OF TERMS USED	4
NEW L.C.C. RULES THAT AFFECT OUR COMMUNITY.....	6
LIST OF ON-PREMISES LICENSED BUSINESSES (CLASS C / B HOTEL / RESORT).....	7
LIST OF ON-PREMISES LICENSED BUSINESSES (CLUB).....	8
LIST OF OFF PREMISES LICENSED BUSINESSES (SDM/SDD).....	9
LIST OF LICENSES IN ESCROW, NEWLY APPLIED FOR, AND IN TRANSFER	10
*NOTE: THIS REPORT'S INFORMATION VALID UNTIL 12/31/2013.....	10
CALLS FOR SERVICE IN 2013.....	11
CALLS FOR SERVICE IN 2013 (CONT.)	12
CALLS FOR SERVICE IN 2013 (CONT.).....	13
CALLS FOR SERVICE IN 2013 (CONT.)	14
CALLS FOR SERVICE IN 2013 (CONT.).....	15
CALLS FOR SERVICE IN 2013 (CONT.).....	16
CALLS FOR SERVICE IN 2013 (CONT.).....	17
CALLS FOR SERVICE IN 2013 (CONT.).....	18
CALLS FOR SERVICE IN 2013 (CONT.).....	19
SPECIAL LICENSES IN 2013	20
VIOLATIONS ISSUED IN 2013	21
ADDITIONAL SPECIAL OR TEMPORARY LICENSES.....	22

DEFINITION OF TERMS USED

For clarification purposes, following is a brief description of some of the calls for service that are not reportable offenses as well as definition of terms used in this report.

- **Bond Violation:** This is an arrest based upon a violation of a judge's bond order or condition of bond.
- **General Assistance:** Assistance to a citizen not requiring an incident report.
- **Suspicious Situation:** Complaint of unusual circumstance that, after investigation, is found not to be a criminal matter.
- **Warrant Arrest:** Arrest of an individual based on a prior order from the court.
- **NSF Check:** Non-Sufficient Funds check, or bad check.
- **MIP:** Minor in possession of alcohol. If no violation is noted for the establishment, it could mean that the offender was found in the parking lot, and it was not related to the business operation of the establishment.
- **Assist Other Agency:** An assist by our department, to another emergency services department. Examples would be Fire, EMS, or the Sheriff's Office.
- **Traffic Complaint:** Any traffic-related offense, such as speeding, reckless driving, or loud vehicle, etc...
- **Civil Dispute:** A dispute between parties requesting police, not involving a reportable crime.
- **SDD:** Specially Designated Distributor- This license enables the licensee to sell packaged liquor (distilled liquor and mixed sprits drink only) for consumption off the licensed premises. This is a quota license.
- **SDM:** Specially Designated Merchant- This license enables the licensee to sell beer and wine only, for consumption off the licensed premises. This is not a quota license.
- **Special License:** Allows a non-profit organization to sell beer, wine and/or liquor for consumption on the premises for a limited time period. These licenses are only good for a twenty-four hour time period and only twelve licenses may be issued to an organization in a calendar year.
- **Class C License:** Allows a business to sell beer, wine, spirits and mixed spirit drinks for consumption on the premises. This is a quota license.
- **Club License:** Allows a private club to sell beer, wine, spirits and mixed spirit drinks for consumption on the premises to bona fide members only. This is not a quota license.
- **B Hotel:** Allows a Hotel to sell beer, wine, spirits and mixed spirit drinks for consumption on the premises and in the rooms of bona fide guests. This is a quota license.
- **A Hotel:** Allows a Hotel to sell only beer and wine for consumption on the premises and in the rooms of bona fide guests. This is a quota license.

LICENSE QUOTAS FOR THE CITY OF MIDLAND

<u>LICENSE TYPE</u>	<u>AUTHORIZED</u>	<u>ISSUED</u>	<u>AVAILABLE</u>
ON PREMISES	28	28	0
SDD	14	14	0

License Quotas Are Established In The Following Manner:

In cities, incorporated villages, or townships, only 1 specially designated distributor (SDD) license shall be issued by the commission for every 3,000 of population, or fraction thereof. The quota requirement may be waived at the discretion of the commission if there is no specially designated distributor licensee within 2 miles, measured along the nearest traffic route, of the applicant.

MCL 436.1533 states that a public license shall not be granted for the sale of alcoholic liquor for consumption on the premises in excess of 1 license for each 1,500 of population or major fraction thereof. In-depth information regarding quotas is found in MCL 436.1531 of the Liquor Control Code.

The above quotas were based on a Midland city population of 41,863. This population count is derived from the Federal Census.

NEW L.C.C. RULES THAT AFFECT OUR COMMUNITY

The Commission announced it will be enforcing the fee requirements as set forth in the administrative rule R 436.1107 regarding escrowed licenses. This is concerning the payment of escrow fees for those licenses held in escrow.

Liquor licenses that are not in active operation are to be placed in escrow. A licensee may place a license into escrow for a total of five licensing years. During these five years, the Commission must receive renewal information and payment for a license held in escrow in the same manner as an active license, including payment of all required license fees, each year by April 30th.

If the license is not put into active operation within the five years, then the Commission will terminate all rights to the license unless the commission has received written verification of pending litigation, estate or bankruptcy proceedings in a court of competent jurisdiction. Or the license was placed in escrow as a result of damage to the licensed premises by fire, flood, tornado or other natural event that makes the licensed premises unsuitable for the operation of the business and unsafe for public accommodation.

Further, the Commission is authorized to extend the escrow period for a license after a showing of good cause by the licensee. If the Commission grants a "Good Cause" extension, then the Commission must receive renewal information and payment in the same manner as an active license, including payment of all required license fees, each year by April 30th. The Commission will terminate all rights to a license if the license is not renewed in the same manner as an active license during the entire escrow period.

In an effort to streamline liquor license applications local law enforcement is no longer required to do background investigations on applicants. Local law enforcement may voice their concern and/or disapproval of an applicant and "it will be taken in consideration by the commission" when the application is reviewed. This information was learned when calling directly to the LCC to ask where the forms that were previously used for the background investigations were located. The forms were removed from the system and are no longer accessible. Local governmental approval is still required however, and the form associated with this approval is still available if so desired.

LIST OF ON-PREMISES LICENSED BUSINESSES (CLASS C / B HOTEL / RESORT)

ON-SITE		ADDRESS	LIC TYPE	SPECIAL PERMITS						
1	H HOTEL (THE)	111 W. MAIN	BH RES	SUNDAY PM	FOOD	ENT	OUT DOOR	ADD BAR	DANCE	
2	702 CLUB	702 JEFFERSON	SDM/CLASS C	SUNDAY PM	DANCE	ENT				
3	APPLEBEE'S	6911 EASTMAN	CLASS C	SUNDAY PM	FOOD					
4	BENNIGANS	6603 EASTMAN	CLASS C	SUNDAY PM	FOOD					
5	BOULEVARD	316 S. SAGINAW	CLASS C	SUNDAY BOTH	FOOD	DANCE				
6	BUFFALO WILD WINGS	6728 EASTMAN	CLASS C	SUNDAY PM	FOOD	ENT				
7	BUSHEY'S BAR	3001 S. SAGINAW	SDM/CLASS C	SUNDAY PM	ENT - WO	DANCE	OUT DOOR			
8	CHINA PALACE	1908E S. SAGINAW	CLASS C	SUNDAY PM						
9	CURRIE MUNICIPAL GOLF	1300 CURRIE PKWY	CC RES SDM	SUNDAY BOTH	DANCE	ADD BAR	OUT DOOR	FOOD	GOLF	
10	D'ALESSANDRO'S	801 E. WACKERLY	SDM/CLASS C	SUNDAY PM	DANCE	ENT	OUT DOOR	ADD BAR	FOOD	HALL DEC
12	DECKERS	402 E. ELLSWORTH	SDM/CLASS C	SUNDAY PM	FOOD	ENT	OUT DOOR			
13	DIAMOND JIM'S	101 E. MAIN	CLASS C	SUNDAY PM	DANCE	ENT	DIR-CON-2			
14	DOW DIAMOND	825 E. MAIN	CC RES	SUNDAY PM	DANCE	ENT	OUT DOOR	ADD BAR	FOOD	ATHLETICS
15	EL PATRON	1900 S SAGINAW	C	SUNDAY PM	SPECIFIC P					
16	ENTRE' AMIGOS	2600 N. SAGINAW	CLASS C	SUNDAY PM	FOOD	DANCE				
17	FRICKS	4408 N. SAGINAW	SDM/CLASS C	SUNDAY PM	DANCE					
18	GHENGHIS KHAN	5010 BAY CITY RD	CLASS C	SUNDAY PM						
19	GENJI	2929 S. SAGINAW	SDM/CLASS C	SUNDAY PM						
20	HOLIDAY INN	810 CINEMA	BH RES/SDM	SUNDAY BOTH	DANCE	ENT	OUT DOOR	ADD BAR	FOOD	ATHLETICS
21	LOGAN'S	7135 EASTMAN	CC RES	SUNDAY BOTH	FOOD					
22	MCMAMARA'S	1815 S. SAGINAW	CLASS C	SUNDAY PM	DANCE	ENT	DIR-CON-1	GUEST REG		
23	MIDLAND CENTER FOR THE ARTS	1801 W ST ANDREWS	CLASS C	SUNDAY PM	DANCE-ENT	OD-SERV	DIR-COM	ADDBAR	SPECIFIC P	
24	MIDLAND RESORT	1500 W. WACKERLY	B HOTEL	SUNDAY PM	DANCE	ENT	OUT DOOR	ADD BAR	FOOD	
25	RESIDENCE INN BY MARIOT	850 JOE MANN BLVD	B HOTEL	SUNDAY PM	ADD BAR	ENT	SS	OD-SERV	SPECIFIC PURPOSE	
26	NORTHWOOD UNIVERSITY	4000 WHITING DR	B HOTEL	SUNDAY PM	DANCE	ENT	OUT DOOR	ADD BAR	FOOD	MEETINGS
27	OSCARS	140 E. MAIN	SDM/CLASS C	SUNDAY PM	DANCE	ENT	ADD BAR	FOOD		
28	PI'S	1819 S. SAGINAW	SDM/CLASS C	SUNDAY PM						
29	PIZZA HUT	1516 N. SAGINAW	CLASS C							
30	PIZZA SAM	102 W. MAIN	CLASS C	SUNDAY PM	DANCE	ENT	DIR-CON-1	FOOD	OUT DOOR	
31	ROLL ARENA	2909 BAY CITY	SDM/CLASS C	SUNDAY PM	DANCE	ENT	OUT DOOR	ADD BAR	FOOD	SKATING
32	RUBY TUESDAY	6800 EASTMAN	CLASS C	SUNDAY BOTH	FOOD					
33	SHIRLENES	1720 WACKERLY	CLASS C	SUNDAY BOTH	FOOD					
34	SPRINGHILL SUITES	520 JOE MANN	BH/SDM	SUNDAY PM	BREAKFAST	ENT	DANCE	ADD BAR	OUT DOOR	ATHLETICS
35	VALLEY LANES	5021 BAY CITY	SDM/CLASS C	SUNDAY PM	BOWLING	ENT-WO	DANCE	ADD BAR	DIR-CON-2	OUTDOOR
36	VALLEY PLAZA RESORT	5121 BAY CITY	SDM/CLASS C	SUNDAY BOTH	DANCE	ENT	ADD BAR	FOOD	DIR-CON-2	
37	WHINE BAR	337 E. WACKERLY	CLASS C	SUNDAY BOTH	DANCE	ENT	OUT DOOR	FOOD		
38	Sabourin's Pharmacy	314 W WACKERLY SUITE L	SDM							
39	OLIVE GARDEN	6803 EASTMAN	C	SUNDAY BOTH	FOOD					
40	WISE GUYS	405 E. MAIN	C	SUNDAY PM	FOOD	DANCE-ENT	OD-SERV			
41	WHICHCRAFT BREWING	124 ASHMAN	C							
42										
43										
44										

LIST OF ON-PREMISES LICENSED BUSINESSES (CLUB)

CLUB LICENSES		ADDRESS	LIC TYPE	PERMITS				
1	ELKS CLUB	3622 N. SAGINAW	CLUB	SUNDAY PM	DANCE	ENT	OD SERV	
2	BERRYHILL	5111 HEDGEWOOD	CLUB	SUNDAY PM	DANCE	ENT	OD SERV	
3	MOOSE CLUB	2100 BAY CITY	CLUB	SUNDAY PM	DANCE	ENT-WO	OD SERV	
4	MIDLAND COUNTRY CLUB	1120 W. ST. ANDREWS	CLUB	SUNDAY PM	DANCE	ENT	OD SERV	FOOD, GOLF SKI
5	VFW	3013 BAY CITY	CLUB	SUNDAY PM	DANCE			
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								

LIST OF OFF PREMISES LICENSED BUSINESSES (SDM/SDD)



PACKAGE SDM AND SDD		ADDRESS	LIC TYPE	SUNDAY AM PM		SPECIAL PERMITS	
1	7-Eleven	3217 Bay City	SDM/SDD	Y	Y		
2	7-Eleven	4004 Jefferson	SDM	Y	N		
3	Dollar General	3939 Isabella	SDM	N	Y		
4	Eastman Party Store	5207 Eastman	SDM/SDD	Y	Y		
5	Express Mart	1618 Jefferson	SDM	N	N		
6	Express Mart	2713 Waldo	SDM	N	N	On Prem Seating	
7	Family Fare	2026 N. Saginaw	SDM	Y	N	On Prem Seating	
8	Horsley's Village Green	715 S. Saginaw	SDM	N	N		
9	Jack's Fruit Market	2000 S. Saginaw	SDM	Y	N		
10	K-Mart	1820 S. Saginaw	SDM	Y	N	On Prem Seating	
11	Kroger	2808 Ashman	SDM	Y	N	B & W sampling	
12	Bay City Road Party Store	1707 Bay City	SDM/SDD	Y	Y	B & W sampling	
13	LaLondes	4007 Jefferson	SDM/SDD	Y	Y	B & W sampling	
14	Landing (The)	203 E. Wackerly	SDM	N	N		
15	Meijer	7300 Eastman	SDM/SDD	Y	Y	On Prem Seating	B & W sampling
16	Midland Wine and Sprits	517 S. Saginaw	SDM/SDD	N	Y		
17	Natures Gift Organic Market	4306 N. Saginaw	SDM	N	Y		
18	Next Door Food Store	3520 Isabella	SDM	Y	N	On Prem Seating	Gas Pumps
19	Northern Market	6700 N. Saginaw	SDM/SDD	N	Y		
20	Owens Airport Grocery	1708 E. Ashman	SDM	N	N	Gas Pumps	
21	Parkside Market	1601 E. Wheeler	SDM	N	N	On Prem Seating	
22	Rite Aid	2006 N. Saginaw	SDM/SDD	N	Y		
23	Rite Aid	2910 Ashman	SDM/SDD	Y	Y		
24	Saginaw Rd Party Store	4900 N. Saginaw	SDM/SDD	Y	Y		
25	Sid's	810 Ashman	SDM/SDD	Y	Y	On Prem Seating	
26	Speedway	604 S. Saginaw	SDM	Y	N	Gas Pumps	
27	Stasik's	3302 Bay City	SDM/SDD	Y	Y		
28	Target	6820 Eastman	SDM	Y	N	On Prem Seating	
29	Valley Produce	1607 E. Patrick	SDM/SDD	N	Y		
30	Village Mini Mart	3001 Bay City Rd	SMD	N	N	Gas Pumps	
31	Walgreen's	1615 N. Saginaw	SDM	Y	N		
32	Walgreen's	931 S. Saginaw	SDM	Y	N		
33	Wal-Mart	910 Joe Mann	SDM/SDD	Y	Y	Gas Pumps	DIR-CON-1

LIST OF LICENSES IN ESCROW, NEWLY APPLIED FOR, AND IN TRANSFER


BUSINESS		ADDRESS	In Escrow	Transfer Pending	Application Pending	Notes
1	Damon's Grill	6801 Eastman	X			In Escrow

*NOTE: This report's information valid until 12/31/2013



CALLS FOR SERVICE IN 2013

BUSINESS 	H HOTEL (THE)	702 CLUB	7-ELEVEN	7-ELEVEN	APPLEBEE'S	BENNIGAN'S	BERRYHILL	BOULEVARD
CALL TYPE 	111 W. Main	702 Jefferson	3217 Bay City Rd.	4004 Jefferson	6911 Eastman	6603 Eastman	5111 Hedgewood	316 S. Saginaw
LCC VIOLATIONS								
LIQUOR INSPECTIONS	1	11	1		1			7
WARRANT ARREST								
LARCENY FROM VEHICLE	1							
NON-AGG ASSAULT		1						
SUSP SITUATION	2	1	7	4		2		
PAROLE VIOLATION								
GENERAL ASSIST	3	2	5	2		1	1	7
B&E								
CRASH			3	1	1			
LARCENY OTHER	1	2			1		1	1
FALSE ALARM		1	1			2		
DISORDERLY CONDUCT								
OPERATING WHILE INTOX		1						1
DESTRUCTION OF PROPERTY								
RETAIL FRAUD			2					
PRIVATE PROP IMPOUND								
PARKING								
CIVIL DISPUTE	1							
MIP ALCOHOL								
LARCENY FROM BUILDING								1
LOST / FOUND PROPERTY	1							
ASSIST OTHER AGENCY	1		1			3		1
TRAFFIC HAZZARD	1							
FEL/AGG ASSAULT								
EMBEZZLEMENT								
TRAFFIC - LICENSE VIOL		2						
FRAUD/BAD CHECKS								
FORGERY/ COUNTERFEIT								
UDAA	1							
CONSPIRACY								
RESIST/OBSTRUCT POLICE		1	1					3
FRAUD FALSE PRET/SWINDLE								
FRAUD IMPERSONATION								
TRESPASS								
MISC. CRIMINAL OFFENSE								
HEALTH AND SAFETY								
TRAFFIC - VIOL OTHER		1	1					
VCSA			1					
FAMILY ABUSE / NEGLECT								
ROBBERY								
SEX OFFENSE / CSC								
VERBAL DOMESTIC			1					
ATTEMPTED SUICIDE								



CALLS FOR SERVICE IN 2013 (cont.)

BUSINESS 	BUFFALO WILD WINGS	BUSHEY'S BAR	CHINA PALACE	CURRIE MUNICIPAL GOLF	DALESANDROS	Olive Garden	DECKERS	DIAMOND JIM'S
CALL TYPE 	6728 Eastman	3001 S. Saginaw	1908 S. Saginaw	1300 Currie Pkwy.	801 E. Wackerly	6803 Eastman	402 E. Ellsworth	101 E. Main
LCC VIOLATIONS		4						
LIQUOR INSPECTIONS	4						4	32
WARRANT ARREST			1					1
LARCENY FROM VEHICLE								
NON-AGG ASSAULT							1	1
SUSP SITUATION	2		2	2			4	
PAROLE VIOLATION								
GENERAL ASSIST		2	2	2			1	4
B&E								
CRASH			2	2				
LARCENY OTHER								1
FALSE ALARM								
DISORDERLY CONDUCT				1			1	1
OPERATING WHILE INTOX								
DESTRUCTION OF PROPERTY				1			1	1
B & E								
PRIVATE PROP IMPOUND								
PARKING								
CIVIL DISPUTE								
MIP ALCOHOL								
LARCENY FROM BUILDING								
LOST / FOUND PROPERTY							1	
ASSIST OTHER AGENCY							1	
TRAFFIC HAZZARD								
FEL/AGG ASSAULT								
EMBEZZLEMENT								
TRAFFIC - LICENSE VIOL								
FRAUD/BAD CHECKS								
FORGERY/ COUNTERFEIT	1							
UDAA					1			
CONSPIRACY								
RESIST/OBSTRUCT POLICE								
FRAUD FALSE PRET/SWINDLE								
FRAUD IMPERSONATION								
TRESPASS								
MISC. CRIMINAL OFFENSE								
HEALTH AND SAFETY								
TRAFFIC - VIOL OTHER								
VCSA								
FAMILY ABUSE / NEGLECT								
ROBBERY								
SEX OFFENSE / CSC		2						
WEAPONS OFFENSE								
ATTEMPTED SUICIDE								



CALLS FOR SERVICE IN 2013 (cont.)

BUSINESS 	DOW DIAMOND	EASTMAN PARTY STORE	ELKS CLUB	ENTRE' AMIGOS	EXPRESS MART	EXPRESS MART	FAMILY FARE	FRICK'S
CALL TYPE 	825 E. Main	5207 Eastman	3622 N. Saginaw	2600 N. Saginaw	1618 Jefferson	2713 Waldo	2026 N. Saginaw	4408 N. Saginaw
LCC VIOLATIONS						1		
LIQUOR INSPECTIONS						2		3
WARRANT ARREST							1	
LARCENY FROM VEHICLE								
NON-AGG ASSAULT								2
SUSP SITUATION			4				9	7
PAROLE VIOLATION								
GENERAL ASSIST	2			2			9	3
B&E								
CRASH				3			4	
LARCENY OTHER								1
FALSE ALARM	1					2		2
DISORDERLY CONDUCT	1							
OPERATING WHILE INTOX						1		
DESTRUCTION OF PROPERTY								
RETAIL FRAUD					2		1	
PRIVATE PROP IMPOUND								
PARKING								
FRAUD CREDIT CARD								
MIP ALCOHOL								
LARCENY FROM BUILDING						1		
LOST / FOUND PROPERTY								
ASSIST OTHER AGENCY							1	
TRAFFIC HAZZARD							1	
FEL/AGG ASSAULT								
EMBEZZLEMENT								
TRAFFIC - LICENSE VIOL						1		
FRAUD/BAD CHECKS								
FORGERY/ COUNTERFEIT								
UDAA			1					
CONSPIRACY								
RESIST/OBSTRUCT POLICE								
FRAUD FALSE PRET/SWINDLE								
FRAUD IMPERSONATION								
TRESPASS								
MISC CRIMINAL OFFENSE								
HEALTH AND SAFETY							1	
TRAFFIC - VIOL OTHER							1	2
VCSA								
FAMILY ABUSE / NEGLECT								
ROBBERY								
SEX OFFENSE / CSC								
VERBAL DOMESTIC								
ATTEMPTED SUICIDE								



CALLS FOR SERVICE IN 2013 (cont.)

BUSINESS 	GENJI	HOLIDAY INN	HORSLEY'S VILLAGE GREEN	JACK'S FRUIT MARKET	K-MART	KROGER	Bay City Road Party Store	LA LONDES
CALL TYPE 	2929 S. Saginaw	810 Cinema	715 S. Saginaw	2000 S. Saginaw	1820 S. Saginaw	2808 Ashman	1707 Bay City	4007 Jefferson
LCC VIOLATIONS								
LIQUOR INSPECTIONS		1		1				
WARRANT ARREST	1				2	1		
LARCENY FROM VEHICLE								
NON-AGG ASSAULT								
SUSP SITUATION		1			2	9	1	
PAROLE VIOLATION								
GENERAL ASSIST		2			8	21		1
B&E								1
CRASH				2	5	19		
LARCENY OTHER		1		1	1	1		1
FALSE ALARM					1			
DISORDERLY CONDUCT								
OPERATING WHILE INTOX					1			
DESTRUCTION OF PROPERTY		1						
RETAIL FRAUD					9	1		
PRIVATE PROP IMPOUND								
PARKING						1		
CIVIL DISPUTE								
MIP ALCOHOL								
LARCENY FROM BUILDING								
LOST / FOUND PROPERTY						3		
ASSIST OTHER AGENCY			1			1		
TRAFFIC HAZZARD		1				1		
FEL/AGG ASSAULT								
EMBEZZLEMENT					3			
TRAFFIC - LICENSE VIOL								
FRAUD/BAD CHECKS								
FORGERY/ COUNTERFEIT								
UDAA								
CONSPIRACY								
RESIST/OBSTRUCT POLICE					2			
FRAUD FALSE PRET/SWINDLE								
FRAUD CREDIT CARD					1	1		
ASSIST OTHER AGENCY					1			
MISC. CRIMINAL OFFENSE								
HEALTH AND SAFETY								
TRAFFIC - VIOL OTHER	1	1				5		
VCSA								
FAMILY ABUSE / NEGLECT								
ROBBERY								
ASSIST OTHER AGENCY								
PARKING VIOLATION								
ATTEMPTED SUICIDE						1		



CALLS FOR SERVICE IN 2013 (cont.)

BUSINESS 	MCNAMARAS	MEIJER	MIDLAND COUNTRY CLUB	MIDLAND RESORT	MIDLAND WINE AND SPIRIT	MOLLY'S	MOOSE CLUB	NEXT DOOR FOOD STORE
CALL TYPE 	1815 S. Saginaw	7300 Eastman	1120 W St Andrews	1500 W Wackerly	517 S. Saginaw	134 Ashman	2100 Bay City	3520 Isabella
LCC VIOLATIONS								
LIQUOR INSPECTIONS	1			6		3		
WARRANT ARREST	3			3	1			
LARCENY FROM VEHICLE								
NON-AGG ASSAULT	4	1						
SUSP SITUATION	11	22	2	16	2	1		
PAROLE VIOLATION								
GENERAL ASSIST	12	24	2		2	1		7
B&E				2				
CRASH	4	22		3				
LARCENY OTHER		4	1	5				2
FALSE ALARM	1		9	3			3	
DISORDERLY CONDUCT								
OPERATING WHILE INTOX		1						
DESTRUCTION OF PROPERTY	1		1	4				
RETAIL FRAUD		15			2			
PRIVATE PROP IMPOUND								
PARKING								
CIVIL DISPUTE								
MIP ALCOHOL								
LARCENY FROM BUILDING								
LOST / FOUND PROPERTY		5						
ASSIST OTHER AGENCY				2				1
TRAFFIC HAZZARD		1		1				
FEL/AGG ASSAULT								
EMBEZZLEMENT		2						1
TRAFFIC - LICENSE VIOL	4				1			
FRAUD/BAD CHECKS								
FORGERY/ COUNTERFEIT								
UDAA								
CONSPIRACY								
RESIST/OBSTRUCT POLICE				3				
FRAUD FALSE PRET/SWINDLE		4						
FRAUD CREDIT CARD								
TRESPASS				3				
MISC. CRIMINAL OFFENSE	2			4				
HEALTH AND SAFETY								
TRAFFIC - VIOL OTHER								
VCSA								
FAMILY ABUSE / NEGLECT				1				
ROBBERY								
SEX OFFENSE / CSC								
VERBAL DOMESTIC								
ATTEMPTED SUICIDE								



CALLS FOR SERVICE IN 2013 (cont.)

BUSINESS 	NOTHERN MARKET	OSCARS	OWEN'S AIRPORT GROCERY	PARKSIDE MARKET	PI'S	PIZZA HUT	PIZZA SAM	RITE AID
CALL TYPE 	6700 N. Saginaw	140 E. Main	1708 E. Ashman	1601 E. Wheeler	1819 S. Saginaw	1516 N. Saginaw	102 W. Main	2006 N. Saginaw
LCC VIOLATIONS		2						
LIQUOR INSPECTIONS	1	30		2				
WARRANT ARREST		4		1				
LARCENY FROM VEHICLE								
NON-AGG ASSAULT								
SUSP SITUATION	3	7		2		4		2
PAROLE VIOLATION								
GENERAL ASSIST	2	2				6	4	
B & E								
CRASH								
LARCENY OTHER	1			1				
FALSE ALARM	2	6				4		2
DISORDERLY CONDUCT		2						
OPERATING WHILE INTOX								
DESTRUCTION OF PROPERTY								
RETAIL FRAUD								
PRIVATE PROP IMPOUND								
PARKING							2	
CIVIL DISPUTE								
MIP ALCOHOL								
LARCENY FROM BUILDING								
LOST / FOUND PROPERTY								
ASSIST OTHER AGENCY	1			1				
TRAFFIC HAZZARD								
FEL/AGG ASSAULT		1						
EMBEZZLEMENT								
TRAFFIC - LICENSE VIOL								
FRAUD/BAD CHECKS	1							
FORGERY/ COUNTERFEIT								
UDAA								
CONSPIRACY								
RESIST/OBSTRUCT POLICE								
FRAUD FALSE PRET/SWINDLE								
FRAUD IMPERSONATION								
TRESPASS								
MISC. CRIMINAL OFFENSE								
HEALTH AND SAFETY								
TRAFFIC - VIOL OTHER								1
VCSA		2						
FAMILY ABUSE / NEGLECT								
ROBBERY								
SEX OFFENSE / CSC								
VERBAL DOMESTIC							2	
OBSTRUCTING POLICE								



CALLS FOR SERVICE IN 2013 (cont.)

BUSINESS 	ROLL ARENA	RUBY TUESDAY	STASIK'S	SAGINAW ROAD PARTY STORE	SHIRLENE'S	SID'S	SPEEDWAY	SPRINGHILL SUITES
CALL TYPE 	2909 Bay City	6800 Eastman	3302 Bay City Rd	4900 N. Saginaw	1720 W. Wackerly	810 Ashman	604 S. Saginaw	520 Joe Mann
LCC VIOLATIONS								
LIQUOR INSPECTIONS		1		12		1		
WARRANT ARREST	1	1	1	2		1		
LARCENY FROM VEHICLE								
NON-AGG ASSAULT		2		1		1		
SUSP SITUATION		31		4		1	6	
PAROLE VIOLATION								
GENERAL ASSIST		21		7		5	2	
B&E				1				
CRASH		30					4	
LARCENY OTHER		9					1	
FALSE ALARM	1	6	1	1				
DISORDERLY CONDUCT								
OPERATING WHILE INTOX								
DESTRUCTION OF PROPERTY	1		1	1				
RETAIL FRAUD		5				1		
PRIVATE PROP IMPOUND								
PARKING								
CIVIL DISPUTE								
MIP ALCOHOL								
LARCENY FROM BUILDING								
LOST / FOUND PROPERTY		7				1		
ASSIST OTHER AGENCY		1		2				
TRAFFIC HAZZARD		1						
FEL/AGG ASSAULT								
EMBEZZLEMENT				1				
TRAFFIC - LICENSE VIOL								
FRAUD/BAD CHECKS		1						
FORGERY/ COUNTERFEIT								
UDAA								
CONSPIRACY								
RESIST/OBSTRUCT POLICE								
FRAUD FALSE PRET/SWINDLE		5		2				
FRAUD IMPERSONATION								
TRESPASS								
MISC. CRIMINAL OFFENSE		2						
HEALTH AND SAFETY								
TRAFFIC - VIOL OTHER		8		1				
VCSA								
FAMILY ABUSE / NEGLECT								
ROBBERY								
SEX OFFENSE / CSC								
VERBAL DOMESTIC		1						
ATTEMPTED SUICIDE								

CALLS FOR SERVICE IN 2013 (cont.)

 BUSINESS	TARGET	THE LANDING	Valley Lanes	VALLEY PLAZA RESORT	VALLEY PRODUCE	VFW	VILLAGE MINI MART	WALGREEN'S
 CALL TYPE	6820 Eastman	203 E. Wackerly	5021 Bay City	5121 Bay City	1607 E. Patrick	3013 Bay City	3001 Bay City	1615 N. Saginaw
LCC VIOLATIONS								
LIQUOR INSPECTIONS		1	1					
WARRANT ARREST	3							2
LARCENY FROM VEHICLE								
NON-AGG ASSAULT			1					
SUSP SITUATION	3		3			3		2
PAROLE VIOLATION								
GENERAL ASSIST	2		4	1	1	6		14
B&E								
CRASH	6	2			1		3	9
LARCENY OTHER	1		1					2
FALSE ALARM	1	4				3		2
DISORDERLY CONDUCT								
OPERATING WHILE INTOX							2	
DESTRUCTION OF PROPERTY						3		
RETAIL FRAUD	6				1			
PRIVATE PROP IMPOUND								
PARKING								
CIVIL DISPUTE								
MIP ALCOHOL			1					
LARCENY FROM BUILDING								
LOST / FOUND PROPERTY		2						
ASSIST OTHER AGENCY			1					
TRAFFIC HAZZARD					1			
FEL/AGG ASSAULT								
EMBEZZLEMENT						3		
TRAFFIC - LICENSE VIOL		2			1			
FRAUD/BAD CHECKS								
FORGERY/ COUNTERFEIT								
UDAA								
CONSPIRACY								
RESIST/OBSTRUCT POLICE	1							
FRAUD FALSE PRET/SWINDLE								3
FRAUD CREDIT CARD								
TRESPASS								
MISC. CRIMINAL OFFENSE								
HEALTH AND SAFETY								
TRAFFIC - VIOL OTHER	1							
VCSA		2						
FAMILY ABUSE / NEGLECT								
ROBBERY								
SEX OFFENSE / CSC								
VERBAL DOMESTIC								
ATTEMPTED SUICIDE	1							

CALLS FOR SERVICE IN 2013 (cont.)

BUSINESS 	WAL-MART	WHINE BAR	WISE GUYS	RESIDENCE INN BY MARRIOTT	THE OLIVE GARDEN	SABOURIN'S PHARMACY	WHICHCRAFT BREWING
CALL TYPE 	910 Joe Mann	337 E. Wackerly	405 E. Main	850 Joe Mann	6803 Eastman	314 W. Wackerly	124 Ashman
LCC VIOLATIONS							
LIQUOR INSPECTIONS							2
WARRANT ARREST					1		
LARCENY FROM VEHICLE							
NON-AGG ASSAULT					3		
SUSP SITUATION			2		3		
PAROLE VIOLATION							
GENERAL ASSIST	2		6		3	1	
B&E						2	1
CRASH					5		1
LARCENY OTHER	4				2		
FALSE ALARM		1			1	3	1
DISORDERLY CONDUCT							2
OPERATING WHILE INTOX							
DESTRUCTION OF PROPERTY							1
RETAIL FRAUD							
PRIVATE PROP IMPOUND							
PARKING							
CIVIL DISPUTE							
MIP ALCOHOL							
LARCENY FROM BUILDING							
LOST / FOUND PROPERTY	4						
ASSIST OTHER AGENCY							
TRAFFIC HAZZARD					1		
FEL/AGG ASSAULT							
EMBEZZLEMENT							
TRAFFIC - LICENSE VIOL							
FRAUD/BAD CHECKS							
FORGERY/ COUNTERFEIT							
UDAA							
CONSPIRACY							
RESIST/OBSTRUCT POLICE							
FRAUD FALSE PRET/SWINDLE							
FRAUD IMPERSONATION							
TRESPASS							
MISC. CRIMINAL OFFENSE			1		3		
HEALTH AND SAFETY							
TRAFFIC - VIOL OTHER					1		
VCSA							
FAMILY ABUSE / NEGLECT							
ROBBERY							
SEX OFFENSE / CSC							
VERBAL DOMESTIC							
ATTEMPTED SUICIDE							

SPECIAL LICENSES IN 2013

	LICENSEE	LOCATION OF EVENT	DATE	TYPE
1	St. Brigid Catholic School	130 W Larkin Midland MI 48640	1/12/2013	BW
2	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/5/2013	BW
3	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/6/2013	BWS
4	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/7/2013	BWS
5	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/8/2013	BWS
6	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/9/2013	BWS
7	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/10/2013	BWS
8	St. Brigid Catholic School	130 W Larkin Midland MI 48640	2/15/2013	BW
9	St. Brigid Catholic School	130 W Larkin Midland MI 48640	3/22/2013	BW
10	St. Brigid Catholic School	130 W Larkin Midland MI 48640	3/1/2013	BW
11	St. Brigid Catholic School	130 W Larkin Midland MI 48640	3/8/2013	BW
12	St. Brigid Catholic School	130 W Larkin Midland MI 48640	3/9/2013	BW
13	St. Brigid Catholic School	130 W Larkin Midland MI 48640	3/15/2013	BW
14	St. Brigid Catholic School	130 W Larkin Midland MI 48640	3/23/2013	BW
15	St. Brigid Catholic School	130 W Larkin Midland MI 48640	3/27/2013	BW
16	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/5/2013	BWS
17	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/6/2013	BWS
18	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/7/2013	BWS
19	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/8/2013	BWS
20	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/9/2013	BWS
21	Greater Midland Community Centers Inc.	900 E Wackerly Midland MI 48640	2/10/2013	BWS
22	Berryhill Post American Legion.	5111 Hedgewood Midland MI 48640	2/9/2013	BWS
23	Creative Spirit Center Inc.	1517 Bayliss Midland MI 48640	3/23/2013	BW
24	Berryhill Post American Legion.	5111 Hedgewood Midland MI 48640	5/4/2013	BWS
25	Dow Gardens	1809 Eastman Ave Midland MI 48640	5/31/2013	BW
26	Creative Spirit Center Inc.	1517 Bayliss Midland MI 48640	5/3/2013	BW
27	Midland Rotary Club	100 Ann St Midland MI 48640	7/19/2013	BW
28	Creative Spirit Center Inc.	1517 Bayliss Midland MI 48640	7/27/2013	BW
29	St. Brigid Catholic School	130 W Larkin Midland MI 48640	9/8/2013	BW
30	St. Brigid Catholic School	130 W Larkin Midland MI 48640	9/28/2013	BW
31	Creative Spirit Center Inc.	1517 Bayliss Midland MI 48640	9/13/2013	BW
32	Midland Morning Rotary Club	2009 Jefferson Midland MI 48640	9/26/2013	BW
33	Northwood University	Northwood University	9/28/2013	BWS
34	Northwood University	1120 West Saint Andrews Midland MI 48640	9/27/2013	BWS
35	Midland Exchange Club	P.O. Box 2309 Midland MI 48640	11/1/2013	BWS
36	Northwood University	Northwood University	11/19/2013	BWS
37	St. Brigid Catholic School	130 W Larkin Midland MI 48640	12/14/2013	BW
38	Michigan Baseball Foundation	825 E Main St Midland MI 48640	12/31/2013	BWS
39				
40				
41				

VIOLATIONS ISSUED IN 2013

TE-AL CORPORATION - d/b/a EASTMAN PARTY STORE & THE MOUSE HOUSE
VIOLATION: 1/12/2013

Sale To Minor Decoy LAN-277 (20):
(LCC Investigator Jill Smith/ ID checked/purchase was allowed)

SANCTION: 5/22/2013

\$700.00 OR 35 DAY SUSPENSION SEC 801(2)

OSCARS RESTAURANT & ENTERTAINMENT, LLC – d/b/a OSCARS
VIOLATION: 1/12/2013

Sale To Minor Decoy: LAN-277 (19)
(LCC investigator Jill Smith ID Checked/purchase was allowed)

SANCTION: 7/4/2013

\$600.00 OR 30 DAY SUSPENSION SEC 801(2)

BW-MIDLAND, LLC - BUFFALO WILD WINGS GRILL & BAR
VIOLATION: 2/21/2013

Sale to an intoxicated person. Midland P.D. #13-1733

SANCTION: 07/06/2013

\$800.00 OR 40 DAY SUSPENSION SEC 801(2) 707(4)

THE DOWN TOWN DINER - WISE GUYS
VIOLATION: DEC. 2012, APRIL 2013, MAY 2013, JUNE 2013

Purchase > 9 liters of spirits from SDD licensees in a month (3 cts.): Beer purchase
Unauthorized Source (6 cts.)

SANCTION: 09/25/13

\$300.00 OR 15 DAY SUSPENSION MCL 436.1901(6), MCL 436.1205(10)

VIOLATION:

SANCTION:

ADDITIONAL SPECIAL OR TEMPORARY LICENSES

Special permits or temporary authorizations are not included in the preceding pages.

The following are temporary licenses approved for existing for-profit establishments for special events in 2013.

A temporary license was approved for Quick Casual Corp. (Bennigan's) located at 6603 Eastman for March 16 and 17, 2013 St. Patrick's Day Celebration. The license was for outdoor sales, service and consumption of alcohol only in the well-defined and clearly marked approved area.

Temporary licenses were approved for Marilyn S Steeg located at 702 Jefferson (The 702 Bar) for April 28, June 22, and August 3, 2013. The licenses were for outdoor sales, service and consumption of alcohol only in the well-defined and clearly marked approved area.

A temporary license was approved for Oscars located at 140 E. Main St. for July 19, 2013. The license was for outdoor sales, service and consumption of alcohol only in the well-defined and clearly marked approved area.

A temporary license was approved for H I H, INC (The Holiday Inn of Midland) located at 810 Cinema for September 22, 2013. The license was for outdoor sales, service and consumption of alcohol only in the well-defined and clearly marked approved area.

MIDLAND BREWING COMPANY:

One business that is absent from this report is the Midland Brewing Company. According to the liquor laws in the State of Michigan, businesses such as the Midland Brewing Company are not subject to the same type of licensing as the other businesses listed in this report. Because the Midland Brewing Company manufactures their own alcohol, they are considered a wholesaler. The other businesses listed in this report purchase their alcohol from a wholesaler and then retail the alcohol by glass or by package. Liquor licenses for these business are further designated by the manner which they retail the alcohol (SDM, SDD, CLASS C, CC, RES, CLUB).



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

BY COUNCILMAN

WHEREAS, Section 15-250 of the City of Midland Code of Ordinances directs the City Manager to cause an annual review of each liquor licensee to be submitted to the City Council; and

WHEREAS, said annual review has been prepared and reports that all licensees, with the noted personal property taxes due for the two licensees, have complied with the provisions of Article VII of Chapter 15 of the Code of Ordinances; now therefore

RESOLVED, that in accord with Section 15-250 of the City of Midland Code of Ordinances, the annual review of liquor licenses is hereby received and ordered placed on file in the Office of the City Clerk.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

t:annualrptres

Attached documents for item Referring to the Midland Downtown Development Authority a request from SSP Associates to acquire City owned property for determination whether the property is needed for City or public purposes. LYNCH

SUMMARY REPORT
for City Council Meeting of February 24, 2014

**SUBJECT: CONSIDERATION OF DISPOSAL OF CITY OWNED PROPERTY
LOCATED AT 416 MCDONALD STREET**

RESOLUTION SUMMARY: This resolution transmits to the Midland Downtown Development Authority a request from SSP Associates to acquire City owned property at 416 McDonald Street for determination, in accord with Section 2-21 of the City of Midland Code of Ordinances, whether the property is needed for corporate or public purposes.

ITEMS ATTACHED:

1. Letter of Transmittal
2. Letter of Request from SSP Associates
3. Resolution

COUNCIL ACTION:

1. 3/5 vote required to approve resolution

Jon Lynch, AICP ICMA-CM
City Manager



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

February 19, 2014

Honorable Mayor and City Council
City of Midland
Michigan

Dear Councilmen:

On February 7, 2014, the City of Midland received a letter from SSP Associates seeking acquisition of a lot located at 416 McDonald Street which is currently owned by the City. SSP Associates owns the balance of the block in which this lot is located and they intend to construct a 25 to 30 unit residential development on the site.

The subject property is more particularly described as parcel 14-16-50-824 with the legal description of: *NE ½ OF LOTS 3 & 4 BLK 53 CARPENTERS*. It is a 60' x 120' lot which the City came to own in August of 1991. A two family dwelling on the lot was demolished in 1992 and it has remained vacant since.

Section 2-21 of the City of Midland Code of Ordinances states: "When property may be sold. Whenever any city property, real or personal, is not needed for corporate or public purposes, such property may be sold." In this case the referenced corporation is the City of Midland. Therefore, the first step in responding to this inquiry is to determine whether the subject lot is needed for City or public purposes.

Given that the subject lot lies within the boundaries of the Downtown Development Authority, and the DDA is responsible for creation and implementation of broad improvement plans within the district, it is appropriate to involve the DDA in determining whether the subject lot is needed for City or public purposes. By the provided resolution City Council requests that the DDA examine this question and provide a recommendation in response.

Sincerely,

Jon Lynch, AICP ICMA-CM
City Manager



1100 S. Washington Ave.
Suite 3
Saginaw, MI 48604

RECEIVED

FEB - 7 2014

February 4, 2014

City of Midland
City Manager's Office

Jon Lynch, City Manager
City of Midland
333 W. Ellsworth Street
Midland, MI 48640

RE: 416 McDonald Avenue, Midland, MI 48640

Dear Mr. Lynch:

Our company has recently acquired several parcels for development consisting of an entire block surrounded by McDonald, Buttles, Rodd and Indian street with the exception of one parcel owned by the City of Midland. We do require one more parcel, referenced above to complete this block in its entirety.

SSP Associates plans to construct on the property a 25-30 unit residential development. For a nominal consideration we would like to acquire this parcel and begin the development process.

Our intentions would be to begin construction next year. Please contact me at (989)239-3666 to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Shaheen", written over a horizontal line.

Peter Shaheen
Vice President



TOWNSEND

GROVE

INDIAN

RODD

MCDONALD

416 McDonald Street

ASHMAN

BUTTLES

ASHMAN

ASHMAN

ELLSWORTH



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

BY COUNCILMAN

WHEREAS, on February 7, 2014, the City of Midland received a letter from SSP Associates seeking acquisition of a lot located at 416 McDonald Street which is currently owned by the City; and

WHEREAS, the City of Midland currently owns the vacant lot at 416 McDonald Street; and

WHEREAS, Section 2-21 of the City of Midland Code of Ordinances provides that whenever any city property, real or personal, is not needed for corporate or public purposes, such property may be sold; and

WHEREAS, the subject lot lies within the boundaries of the Downtown Development Authority, and the DDA is responsible for creation and implementation of broad improvement plans within the district; now therefore

RESOLVED, that the City Council hereby directs the Downtown Development Authority to examine the subject property in accord with Section 2-21 of the Code of Ordinances and offer a recommendation as to whether it is needed for City or public purposes.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

Attached documents for item * Approving an extension of time for completion of sidewalk in City Forest Estates Subdivision No. 1. KAYE

**SUMMARY REPORT TO CITY MANAGER
for City Council Meeting of 2-24-14**

SUBJECT: Extension of time for completion of sidewalk in City Forest Estates
Subdivision No. 2.

PROPRIETOR: Wiskin Developments, Inc.

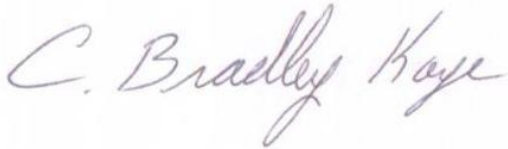
RESOLUTION SUMMARY: THIS RESOLUTION APPROVES A TWO-YEAR
EXTENSION OF TIME FOR COMPLETION OF SIDEWALK IN CITY FOREST
ESTATES SUBDIVISION NO. 2.

ITEMS ATTACHED:

1. Letter to City Manager including a recommendation of approval.
2. Resolution for City Council action.
3. Letter from proprietor, requesting extension.
4. Map of subdivision indicating where sidewalk has not been installed.

CITY COUNCIL ACTION:

1. Public hearing is not required.
2. 3/5 vote required to approve the time extension.



C. Bradley Kaye, AICP, CFM
Director of Planning & Community Development

KB/djm

2-19-14



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.midland-mi.org

February 19, 2014

Jon Lynch, City Manager
City Hall - 333 West Ellsworth Street
Midland, Michigan

Dear Mr. Lynch:

In our periodic review of subdivisions to determine the installation status of required improvements, we have identified that not all of the sidewalk in City Forest Estates Subdivision No. 2 has been installed. The final plat for this subdivision was approved April 14, 2003. The two-year contract period for which all required improvements was to have been completed expired on April 14, 2005. The City Council subsequently granted extensions for sidewalk installation in 2006, 2008, 2009 and 2011, the last of which is due to expire on April 14, 2014. Two of the original six lots remain undeveloped and without completed sidewalks.

Roy Wise, proprietor of City Forest Estates Subdivision No. 2, is requesting a two-year time extension to complete the sidewalk installation in the subdivision. The city's standard sidewalk extension policy would not recommend more than two extensions totaling four years beyond the initial two-year contract. However, in recognition of the many previous extensions granted and the minimal number of lots that remain undeveloped, another two-year time extension may be warranted. Alternately, if an extension is not approved, the city would invoke the provisions of the current Letter of Credit and install the remaining sidewalk at the proprietor's expense.

The time extension is conditioned upon the receipt of a new financial guarantee to cover the cost of the sidewalk yet to be installed. The new financial guarantee shall be valid for one year beyond the approved extension date. In the event Council approves the requested extension and a new financial guarantee is not submitted by March 14, 2014, it is recommended that we collect on the existing Letter of Credit and install the remaining sidewalk.

Attached is a resolution granting a two-year extension for required sidewalk in City Forest Estates Subdivision No. 2.

Respectfully submitted,

C. Bradley Kaye, AICP, CFM
Director of Planning & Community Development

/djm



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.midland-mi.org

BY COUNCILMAN

WHEREAS, a written request has been received from Roy Wise of Wiskin Developments, Inc., proprietor of City Forest Estates Subdivision No. 2, to extend the period of time to complete the sidewalk within said subdivision; now therefore

RESOLVED, that in accord with the Code of Ordinances of the City of Midland, the City Council hereby extends the period of time to complete the sidewalk within City Forest Estates Subdivision No. 2 until April 14, 2016 conditioned upon receipt of a financial guarantee in an amount determined by the City Engineer, valid for a period of one year beyond the date of the required completion of the sidewalk; and

RESOLVED FURTHER, that if a new financial guarantee is not provided by March 14, 2014, Council authorizes staff to use the existing financial guarantee on file to install all remaining sidewalk.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeavote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

RECEIVED
JAN 21 2014
PLANNING DEPT

January 15, 2014

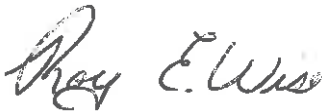
Bradley Kaye, Director
Planning Department
City of Midland
333 W. Ellsworth
Midland, MI 48640

Dear Mr. Kaye

The purpose of this letter is to request a two year extension of time for the construction of sidewalks in the City Forest Estates Subdivisions #1 and #2 which were developed by Wiskin Developments, Inc. To this date, 13 of the 18 lots in the subdivision have homes constructed on them and the sidewalks have been installed on each of those lots as the homes were completed.

I will provide a renewed continuing letter of credit from the Chemical Bank and Trust Co. to guarantee the financial resources for the future construction of the sidewalks as required by the City of Midland. Upon your inspection, you informed Chemical Bank that the amount of that guarantee could be reduced to \$20,776.00. Upon approval of this request for an extension I will have Chemical Bank provide you with an updated letter of credit.

Sincerely



Roy Wise

City Forest Estates

> Sidewalk Installation



Attached documents for item * Approving an extension of time for completion of sidewalk in City Forest Estates Subdivision No. 2. KAYE

**SUMMARY REPORT TO CITY MANAGER
for City Council Meeting of 2-24-14**

SUBJECT: Extension of time for completion of sidewalk in City Forest Estates
Subdivision No. 2.

PROPRIETOR: Wiskin Developments, Inc.

RESOLUTION SUMMARY: THIS RESOLUTION APPROVES A TWO-YEAR
EXTENSION OF TIME FOR COMPLETION OF SIDEWALK IN CITY FOREST
ESTATES SUBDIVISION NO. 2.

ITEMS ATTACHED:

1. Letter to City Manager including a recommendation of approval.
2. Resolution for City Council action.
3. Letter from proprietor, requesting extension.
4. Map of subdivision indicating where sidewalk has not been installed.

CITY COUNCIL ACTION:

1. Public hearing is not required.
2. 3/5 vote required to approve the time extension.



C. Bradley Kaye, AICP, CFM
Director of Planning & Community Development

KB/djm

2-19-14



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.midland-mi.org

February 19, 2014

Jon Lynch, City Manager
City Hall - 333 West Ellsworth Street
Midland, Michigan

Dear Mr. Lynch:

In our periodic review of subdivisions to determine the installation status of required improvements, we have identified that not all of the sidewalk in City Forest Estates Subdivision No. 2 has been installed. The final plat for this subdivision was approved April 14, 2003. The two-year contract period for which all required improvements was to have been completed expired on April 14, 2005. The City Council subsequently granted extensions for sidewalk installation in 2006, 2008, 2009 and 2011, the last of which is due to expire on April 14, 2014. Two of the original six lots remain undeveloped and without completed sidewalks.

Roy Wise, proprietor of City Forest Estates Subdivision No. 2, is requesting a two-year time extension to complete the sidewalk installation in the subdivision. The city's standard sidewalk extension policy would not recommend more than two extensions totaling four years beyond the initial two-year contract. However, in recognition of the many previous extensions granted and the minimal number of lots that remain undeveloped, another two-year time extension may be warranted. Alternately, if an extension is not approved, the city would invoke the provisions of the current Letter of Credit and install the remaining sidewalk at the proprietor's expense.

The time extension is conditioned upon the receipt of a new financial guarantee to cover the cost of the sidewalk yet to be installed. The new financial guarantee shall be valid for one year beyond the approved extension date. In the event Council approves the requested extension and a new financial guarantee is not submitted by March 14, 2014, it is recommended that we collect on the existing Letter of Credit and install the remaining sidewalk.

Attached is a resolution granting a two-year extension for required sidewalk in City Forest Estates Subdivision No. 2.

Respectfully submitted,

C. Bradley Kaye, AICP, CFM
Director of Planning & Community Development

/djm



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.midland-mi.org

BY COUNCILMAN

WHEREAS, a written request has been received from Roy Wise of Wiskin Developments, Inc., proprietor of City Forest Estates Subdivision No. 2, to extend the period of time to complete the sidewalk within said subdivision; now therefore

RESOLVED, that in accord with the Code of Ordinances of the City of Midland, the City Council hereby extends the period of time to complete the sidewalk within City Forest Estates Subdivision No. 2 until April 14, 2016 conditioned upon receipt of a financial guarantee in an amount determined by the City Engineer, valid for a period of one year beyond the date of the required completion of the sidewalk; and

RESOLVED FURTHER, that if a new financial guarantee is not provided by March 14, 2014, Council authorizes staff to use the existing financial guarantee on file to install all remaining sidewalk.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeavote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

RECEIVED
JAN 21 2014
PLANNING DEPT

January 15, 2014

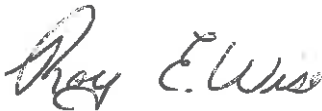
Bradley Kaye, Director
Planning Department
City of Midland
333 W. Ellsworth
Midland, MI 48640

Dear Mr. Kaye

The purpose of this letter is to request a two year extension of time for the construction of sidewalks in the City Forest Estates Subdivisions #1 and #2 which were developed by Wiskin Developments, Inc. To this date, 13 of the 18 lots in the subdivision have homes constructed on them and the sidewalks have been installed on each of those lots as the homes were completed.

I will provide a renewed continuing letter of credit from the Chemical Bank and Trust Co. to guarantee the financial resources for the future construction of the sidewalks as required by the City of Midland. Upon your inspection, you informed Chemical Bank that the amount of that guarantee could be reduced to \$20,776.00. Upon approval of this request for an extension I will have Chemical Bank provide you with an updated letter of credit.

Sincerely



Roy Wise

City Forest Estates

> Sidewalk Installation



Attached documents for item * Receiving and filing the 2014 Annual Sidewalk Report.
MCMANUS

SUMMARY REPORT TO THE CITY MANAGER
for Council Meeting of February 24, 2014

SUBJECT: 2014 ANNUAL SIDEWALK REPORT

INITIATED BY: City of Midland Code of Ordinances - Section 22-16

RESOLUTION SUMMARY: This resolution accepts the annual sidewalk inventory of locations where sidewalks do not currently exist, for council determination of inclusion in the 2014 Sidewalk Improvement Program.

ITEMS ATTACHED:

1. Cover Letter
2. Resolution accepting report
3. Sidewalk request list
4. Sketches of sidewalk requests received
5. Sidewalk Program Flow Chart
6. Annual Sidewalk Inventory
7. Sidewalk Inventory Map

CITY COUNCIL ACTION: 3/5 vote required to approve resolution

SUBMITTED BY: Brian P. McManus, City Engineer / Bpm



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

DATE: February 17, 2014

TO: Jon Lynch, City Manager

FROM: Brian P. McManus, City Engineer */BPM*

RE: Annual Sidewalk Program

In accordance with Section 22-16 of the City of Midland Code of Ordinances, attached hereto is our annual sidewalk report indicating locations not having sidewalks on city streets and a resolution for its acceptance. This report has been prepared in priority order in accord with the sidewalk criteria established by the City Council. This section also provides that the City Council shall initiate an annual sidewalk program encompassing as many of these locations as it may determine to be installed by the special assessment provisions of Chapter 20 of the Code of Ordinances.

Attached herewith is a flow chart showing dates for steps required to complete the annual sidewalk program. This flow chart should help staff and the City Council to keep the program moving in a timely manner as outlined on the chart.

Two sidewalk requests were received this year based on the public notice process. They are shown on the attached listing. We will include Dublin Avenue sidewalk in next year's program. This has been put on hold until funds are available for enclosing the ditch on the west side of Dublin Avenue.

The Sidewalk Inventory Map shows gaps in the sidewalk system. Gaps are generally an interruption of the sidewalk system in areas of the city that have an otherwise continuous system.

It is recommended that the attached resolution accepting the annual sidewalk report be adopted Monday night. Between now and March 10, if the City Council wishes to alter the priority of any sidewalk listed in the sidewalk report, then it is recommended that they make the modification on March 10 when the City Council determines the list of sidewalks for consideration in the 2014 Sidewalk Program.

SIDEWALK.LTR
DHF



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

BY COUNCILMAN

RESOLVED, that in accord with Section 22-16 of the Code of Ordinances, the 2014 Annual Sidewalk Report is hereby received and is ordered filed in the City Clerk's Office.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

SIDEWALK.RES
DHF

CITY OF MIDLAND
ENGINEERING DEPARTMENT
2013/2014 SIDEWALK REQUESTS

Listed below are the locations of requested sidewalks received over the past year.

PRIORITY CODE

- Northwood Drive & Sugnet Road - from Saginaw Road to Rail-Trail
requested by Taylor Fillmore
Northwood University Student 2.2

- Plymouth Park - from Plymouth Pool Parking Lot to Fun Zone
requested by Karen Beckwith
4506 Wild Pine Court S. N/A

N. SAGINAW



PETITIONED
SIDEWALK
LOCATION



NORTHWOOD

DR

RAIL TRAIL

W. SUGNET RD

NORTHWOOD DRIVE AND SUGNET ROAD

SAGINAW ROAD TO RAIL TRAIL



E. WHEELER ST

FUN
ZONE

PAVILION

PETITIONED
SIDEWALK
LOCATION

POOL

PARK DR

PLYMOUTH ST

SWEDE

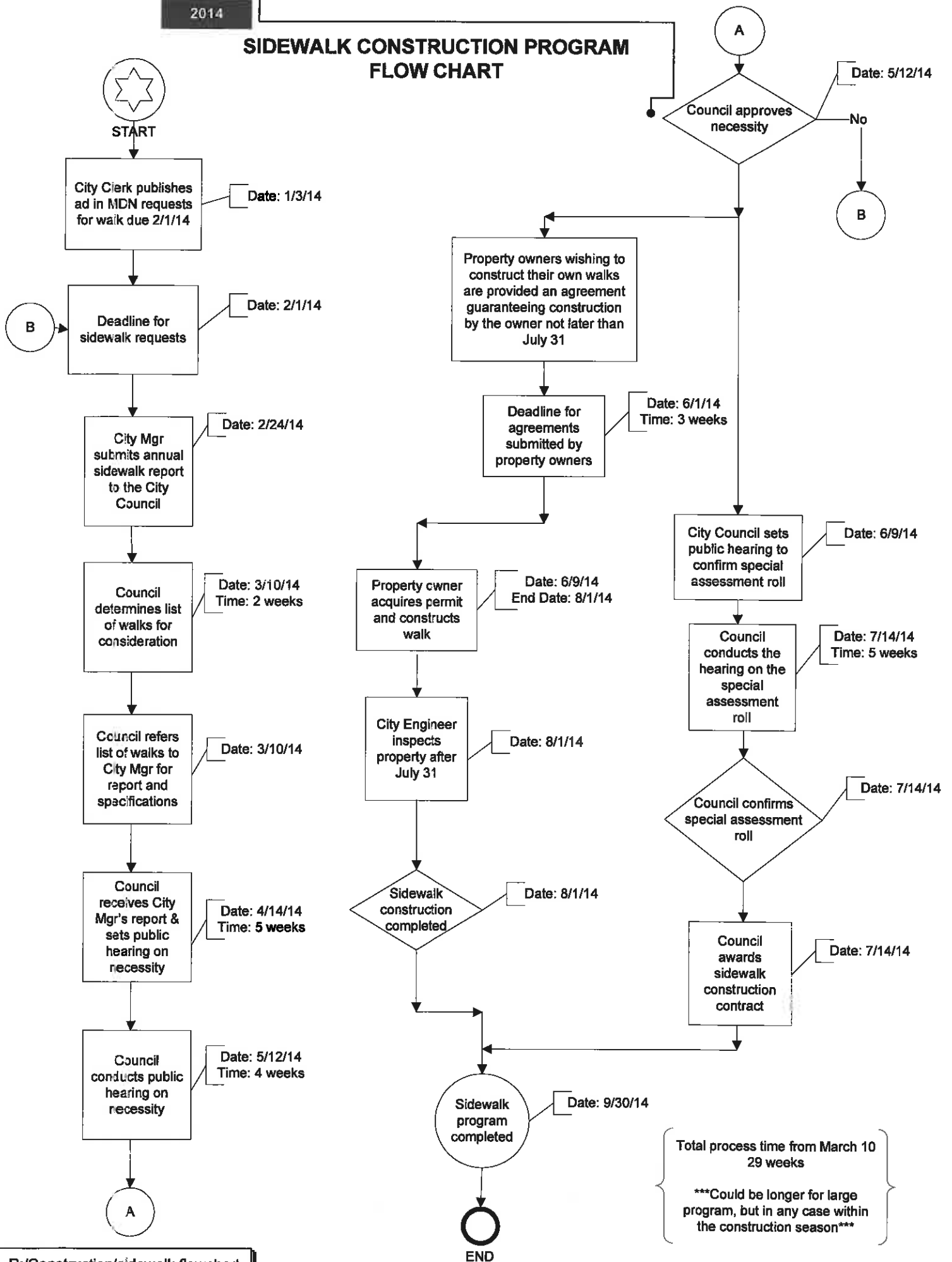
ROBINHOOD

TERR

PLYMOUTH PARK

PLYMOUTH POOL PARKING LOT TO FUN ZONE

SIDEWALK CONSTRUCTION PROGRAM FLOW CHART



ANNUAL SIDEWALK REPORT

CITY OF MIDLAND ENGINEERING DEPARTMENT

<u>PRIORITY CODE</u>	<u>DEFINITION</u>	<u>DESCRIPTION</u>
1	MAJOR WALKS	Sidewalks on one side of Major Streets and Highways
2	SCHOOL/COLLECTOR WALKS	Sidewalks on one side of any street that connects a Major Walk to a school
3	LOCAL WALKS	Sidewalks on one side of all other streets (excluding courts)
4	SECONDARY WALKS	Sidewalks on the other side of streets listed above
5	COURTS	Sidewalks on courts (cul-de-sacs)
6	NEW SUBDIVISION STREETS	These sidewalks are funded by developers

NOTE: The opposite side of all streets listed as a Priority Code of 1, 2 or 3 can be found as a Priority Code 4.

SUB-CATEGORIES OF THE ABOVE DEFINED PRIORITIES

CODE .1 ACTIVE WALKS
CODE .2 ON HOLD WALKS
CODE .3 EXEMPT WALKS

CITY OF MIDLAND ENGINEERING DEPT.			2014 CITY COUNCIL SIDEWALK INVENTORY							
PRIORITY CODE	STREET NAME	SEC.	LIMITS	SIDE	FRONTAGE		COST		TOTAL	REMARKS
					P.O.	CITY	P.O.	CITY		
1.2	Airport Road	33L	Midland Mall to Cinema	N	1358		17654.00	0.00	17654.00	
1.2	Ashman Street	13	Waldo to Rockwell	S	2675	321	34775.00	4173.00	38948.00	
1.2	Bay City Road	24	Fast Ice to Rockwell	S	1760	20	22880.00	1060.00	23940.00	1 Sidewalk Ramp
1.2	Bay City Road	19W	Rockwell to City Limits	N	2000	1200	26000.00	15600.00	41600.00	
1.2	Jefferson Avenue	34L	Wackerly to Broadhead	E	1975	640	25675.00	9920.00	35595.00	2 Sidewalk Ramp
1.2	Main Street, W.	17	Orchard to Cook	NE	1940	1160	25220.00	15080.00	40300.00	
1.2	Patrick Road	21	Haley to Carpenter	NW	0	1670	0.00	24910.00	24910.00	4 Sidewalk Ramps
1.2	Rockwell Drive	19W	Bay City Rd. to 1500 ft. South	E	1370	100	17810.00	1300.00	19110.00	
1.2	Rockwell Drive	24	Bay City Rd. to James Savage	W	1420	200	18460.00	2600.00	21060.00	
1.2	Saginaw Rd., N.	1H	Dublin to city limit	N	2100	0	27300.00	800.00	28100.00	1 Sidewalk Ramp
1.2	Saginaw Rd., N.	2H	Stark to city limit	N	700	0	9100.00	800.00	9900.00	1 Sidewalk Ramp
1.2	Stark Road	2H	Saginaw to Wackerly	W	1400	0	18200.00	1600.00	19800.00	2 Sidewalk Ramp
1.2	Wackerly Road, W.	1H	Dublin to Stark	S	5000	400	65000.00	8400.00	73400.00	4 Sidewalk Ramps
1.2	Wackerly Road, W.	2H	Stark to city limit	S	1450	0	18850.00	800.00	19650.00	1 Sidewalk Ramps
1.2	Waldo Road	24	Cobb to Centennial	E	600		7800.00	800.00	8600.00	1 Sidewalk Ramp
1.2	Waldo Road	11	Whitewood to Wheeler	W	0	1500	0.00	20300.00	20300.00	1 Sidewalk Ramp
1.2	Wheeler Road, E.	11	Congress to Exit Ramp	S	1450		18850.00	0.00	18850.00	
1.3	Atwell Drive	20	Pine River Rd. to Whitman	W	1480		19240.00	0.00	19240.00	
1.3	Austin Street	21	Indian to Jefferson	NE	300	75	3900.00	2575.00	6475.00	2 Sidewalk Ramps
1.3	Isabella Road	17	Currie Parkway to W.Main	N		5800	0.00	76200.00	76200.00	1 Sidewalk Ramp
1.3	James Savage Road	22	Lyon to Washington	S		320	0.00	4160.00	4160.00	
1.3	James Savage Road	22	Washington to S.Saginaw Rd.	S	1800		23400.00	800.00	24200.00	1 Sidewalk Ramp
1.3	James Savage Road	23	700' E of Saginaw Rd. to Waldo	S	5300		68900.00	800.00	69700.00	1 Sidewalk Ramps
1.3	James Savage Road	24	Waldo to Rockwell	S	5385		70005.00	800.00	70805.00	1 Sidewalk Ramp
1.3	Jefferson Avenue	34L	Broadhead to Letts	E	2618	0	34034.00	3200.00	37234.00	4 Sidewalk Ramp
1.3	Lyon Road	22	Carpenter to Washington	S	2060	200	26780.00	7400.00	34180.00	6 Sidewalk Ramps
1.3	Lyon Road	22	Haley to Pine	S	0	1130	0.00	22690.00	22690.00	10 Sidewalk Ramps
1.3	Pine River Road	20	Grey to Atwell	N	5000		65000.00	0.00	65000.00	
1.3	Poseyville Road	21	St.Charles to Ellsworth	W		2300	0.00	31500.00	31500.00	2 Sidewalk Ramps
1.3	Saginaw Rd., S.	26	S. Drive into Corning to Salzburg	E	1600	140	20800.00	2620.00	23420.00	1 Sidewalk Ramp
1.3	Saginaw Rd., S.	35	Salzburg to City Limits	NE	8400	800	109200.00	14400.00	123600.00	5 Sidewalk Ramps
1.3	Salzburg Road	26	S.Saginaw Rd. to Waldo	N	4460	160	57980.00	2880.00	60860.00	1 Sidewalk Ramp
1.3	Waldo Road	35	S.Saginaw Rd. to Centennial	E	8300	2400	107900.00	31200.00	139100.00	
1.3	Whitman Drive	20	Atwell to St. Charles	N	3244	191	42172.00	4883.00	47055.00	3 Sidewalk Ramps
2.1							0.00	0.00		
2.2	Northwood Drive	7	Saginaw to Sugnet	E	2340	45	30420.00	2185.00	32605.00	2 Sidewalk Ramps
2.2	Sugnet Road	7	Northwood to Whiting	S	710	115	9230.00	3095.00	12325.00	2 Sidewalk Ramp
2.2	Vance Road	19	Rivercrest to Isabella	E	650		8450.00	1600.00	10050.00	2 Sidewalk Ramps
2.2	Vance Road	18	1200 ft. North of Isabella to River	E	2115		27495.00	1600.00	29095.00	2 Sidewalk Ramps
2.2	Wexford Avenue	22	Tibbs to Bayliss	N	615		7995.00	0.00	7995.00	
2.3	Mark Putnam Drive	23	S.Saginaw Rd. to Schuette	S	2180		28340.00	0.00	28340.00	
2.3	Pine Street, E.	21	Patrick to Fifth	SW	800		10400.00	1600.00	12000.00	2 Sidewalk Ramps
2.3	Ridgecrest Drive	13	Waldo to Ridgewood	S			0.00	0.00		Walks Not Req'd.
2.3	Ridgewood Drive	13	Eagle Ridge Research Park	E			0.00	0.00		Walks Not Req'd.
2.3	Schuette Road	23	Mark Putnam to Eastwick Sub.	S	1949		25337.00	0.00	25337.00	
2.3	Schuette Road	23	Eastwick Subdivision No. 1	S			0.00	0.00		Walks Not Req'd.
2.3	Schuette Road	23	Eastwick Subdivision No. 2	S			0.00	0.00		Walks Not Req'd.
2.3	Sixth Street	21	Jefferson to Indian	NW	210	80	2730.00	3440.00	6170.00	3 Sidewalk Ramps
3.1	Albee Lane	18	Isabella to Rumble	E	458	14	5954.00	982.00	6936.00	1 Sidewalk Ramps
3.1	Applewood Drive	8	Valley to Sugnet	E	2140		27820.00	0.00	27820.00	
3.1	Commerce Drive	33L	Eastman to Jefferson	S	4760	165	61880.00	10145.00	72025.00	10 Sidewalk Ramps
3.1	Dublin Avenue	12H	Plumtree to Countryide	W	631	6	8203.00	878.00	9081.00	1 Sidewalk Ramps
3.1	Dublin Road	12H	Countryside to Saginaw	W	2142	66	27846.00	2458.00	30304.00	2 Sidewalk Ramps
3.1	Elisena	33L	Joe Mann to Jacobs Drain	E	1460	0	18980.00	0.00	18980.00	
3.1	Fast Ice Drive	24	Bay City Road to Rockwell	W-S	2490	15	32370.00	995.00	33365.00	1 Sidewalk Ramps
3.1	Hancock Street	13	Clay to Lee	S	70		910.00	0.00	910.00	
3.1	Henry Street	24	Hemlock to end of court	S	150		1950.00	3200.00	5150.00	4 Sidewalk Ramps
3.1	Highland Drive	6	Moorland to Perrine	E	844	165	10972.00	3745.00	14717.00	2 Sidewalk Ramps
3.1	Hillcrest Road	9	W.Sugnet to N.Saginaw Rd.	W	991		12883.00	0.00	12883.00	
3.1	Lee Street	13	Quincy to Hancock	W	710	0	9230.00	0.00	9230.00	
3.1	Norfolk Street	9	Castle to Hampshire	N	530	60	6890.00	780.00	7670.00	
3.1	North Parkway	9	Dyckman to Crescent	E	1170	100	15210.00	1300.00	16510.00	

CITY OF MIDLAND ENGINEERING DEPT.			2014 CITY COUNCIL SIDEWALK INVENTORY								
PRIORITY					FRONTAGE			COST			
CODE	STREET NAME	SEC.	LIMITS	SIDE	P.O.	CITY	P.O.	CITY	TOTAL		REMARKS
3.1	Norwood Drive	5	Campau to end of roadway	N	1063		13819.00	0.00	13819.00		
3.1	Parsons Street	23	Sam to Dick	N	503	26	6539.00	1138.00	7677.00	1	Sidewalk Ramp
3.1	Powder Horn	1H	west of Foxfire #1	N	600	0	7800.00	0.00	7800.00		
3.1	Sam Street	23	Bay City Rd. to Parsons	E	842	25	10946.00	3525.00	14471.00	4	Sidewalk Ramp
3.1	Union Street	16	George to State	S	480	4	6240.00	52.00	6292.00		
3.2	Airport Road	32L	190' E. of Dublin to Eastman	N	10700		139100.00	0.00	139100.00		
3.2	Airport Road	36Li	Stark to Hicks	N	2650	50	34450.00	2250.00	36700.00	2	Sidewalk Ramps
3.2	Alan Ott Drive	33L	Joe Mann to Ted Doan	W	530	0	6890.00	0.00	6890.00		
3.2	Bailey Bridge Road	1	Saginaw to Railroad	E	980	0	12740.00	0.00	12740.00		
3.2	Chippewa River Road	19	Isabella to City Limits	E	480	0	6240.00	0.00	6240.00		
3.2	Clark Road	14H	Sandow to City Limits	S	626	0	8138.00	0.00	8138.00		
3.2	Countryside Drive	12H	Green to Dublin	N	3980		51740.00	0.00	51740.00		
3.2	Diamond Drive	34L	Midfield to Waldo	N	9500	100	123500.00	5300.00	128800.00	5	Sidewalk Ramps
3.2	Elmer Road	13H	Sandow to Glen	N	399	0	5187.00	0.00	5187.00		
3.2	Glen Road	13H	Elmer to Solomon	W	1056	0	13728.00	0.00	13728.00		
3.2	Green Road	12H	Countryside to City Limits	E	2830		36790.00	0.00	36790.00		
3.2	Midfield Lane	34L	Joseph to south end	W	393	20	5109.00	1060.00	6169.00	1	Sidewalk Ramp
3.2	Perrine Road	31	Airport Road to Letts	W	4586	10	59618.00	130.00	59748.00		
3.2	Prairie Creek Drive	13H	Sandow to Sandow	W	1290	0	16770.00	0.00	16770.00		
3.2	Sandow Road	13H	Isabella to City Limits	E	3882	240	50466.00	9520.00	59986.00	8	Sidewalk Ramp
3.2	Soccer Road	34L	Jefferson to Diamond	N	4070	20	52910.00	1860.00	54770.00	2	Sidewalk Ramp
3.2	Solomon Road	13H	Sandow to Glen	S	394	0	5122.00	0.00	5122.00		
3.2	Springfield Drive	13	Gettysburg to N. Plat Line	E	126		1638.00	800.00	2438.00	1	Sidewalk Ramps
3.2	Sturgeon Road	31L	Wackerly to Letts	W	3600	200	46800.00	5000.00	51800.00	3	Sidewalk Ramps
3.2	T. Moore Drive	33L	Joe Mann to north end	E	775	0	10075.00	0.00	10075.00		
3.2	Ted Doan Drive	33L	T. Moore to Jefferson	S	2110	0	27430.00	0.00	27430.00		
3.3	Fifth Street	21	Grove to Pine	NW	240		3120.00	0.00	3120.00		
3.3	Fourth Street	21	Indian to Grove	NW	240		3120.00	0.00	3120.00		
3.3	Gordonville Road	35	Bridge to S.Saginaw Rd.	NE		500	0.00	6500.00	6500.00		
3.3	Grove Street, E.	21	Third to Sixth	SW	720		9360.00	0.00	9360.00		
3.3	Plumer Street	23	Bay City Rd. to Austin	W	180	100	2340.00	2100.00	4440.00	1	Sidewalk Ramp
4.1	Airfield Lane	14	Grey Ridge to Gary	S	405		5265.00	800.00	6065.00	1	Sidewalk Ramp
4.1	Albee Lane	18	Isabella to Pinehurst	W	565	10	7345.00	130.00	7475.00		
4.1	Applewood Drive	8	Valley to Sugnet	W	2223		28899.00	0.00	28899.00		
4.1	Arbury Place	15	Bayliss to 470 ft. West	S	470		6110.00	0.00	6110.00		
4.1	Auburn Street	17	Main to Larkin	SE	168	120	2184.00	3160.00	5344.00	2	Sidewalk Ramps
4.1	Avalon Street	3	E.Ln. Winchester #1 to Swede	N	134	75	1742.00	975.00	2717.00		
4.1	Bay City Road	24	Gerald to E. end of curb	N	155	200	2015.00	3400.00	5415.00	1	Sidewalk Ramp
4.1	Bayberry Lane	4	Wallbridge to Siebert	S	940		12220.00	1600.00	13820.00	2	Sidewalk Ramps
4.1	Beech Street	23	Lemke to Willow	N	1630	0	21190.00	800.00	21990.00	1	Sidewalk Ramp
4.1	Belmont Street	5	N.Saginaw to Joanne	W	593		7709.00	0.00	7709.00		
4.1	Cambridge Street	15	Dartmouth to E.Ashman	SW	890	230	11570.00	4590.00	16160.00	2	Sidewalk Ramps
4.1	Castle Drive	9	Meadowbrook to Sinclair	E	154	235	2002.00	6255.00	8257.00	4	Sidewalk Ramps
4.1	Christie Court	5	N.Saginaw to Natalie	E	240	100	3120.00	2100.00	5220.00	1	Sidewalk Ramp
4.1	Clover Lane	9	Eastman to Dyckman	S	450		5850.00	1600.00	7450.00	2	Sidewalk Ramps
4.1	Commerce Drive	33L	Eastman to Jefferson	N	4980	140	64740.00	4220.00	68960.00	3	Sidewalk Ramps
4.1	Cook Road	7	W.Sugnet to N.Saginaw	W	1970		25610.00	800.00	26410.00	1	Sidewalk Ramp
4.1	Cottonwood Street	24	Bay City Rd. to Henry	E	864	0	11232.00	800.00	12032.00	1	Sidewalk Ramp
4.1	Cottonwood Street	24	Bay City Rd. to Cobb	E	879	30	11427.00	2790.00	14217.00	3	Sidewalk Ramp
4.1	Crescent Drive	9	Dyckman to N.Saginaw Rd.	N	1120	282	14560.00	7666.00	22226.00	5	Sidewalk Ramps
4.1	Crescent Drive	9	N.Saginaw Rd. to Meadowbrook	N	1520	350	19760.00	8550.00	28310.00	5	Sidewalk Ramps
4.1	Cypress Street	24	Bay City Rd. to Henry	W	594	72	7722.00	936.00	8658.00		
4.1	Darby Street	11	Lawndale to McGill	S	385	95	5005.00	1235.00	6240.00		
4.1	Dauer Street	14	E.Ashman to Schreeve	W	100		1300.00	800.00	2100.00	1	Sidewalk Ramps
4.1	Dilloway Drive	4	Siebert to Nakoma	S	740	560	9620.00	8880.00	18500.00	2	Sidewalk Ramps
4.1	Discovery Way	22	Washington to Saginaw	S	2060	50	26780.00	2250.00	29030.00	2	Sidewalk Ramps
4.1	Dublin Avenue	1H	Saginaw to Wackerly	W	3800	100	49400.00	1300.00	50700.00		
4.1	Dublin Avenue	7	Plumtree to Countryside	E	1252	33	16276.00	1229.00	17505.00	1	Sidewalk Ramps
4.1	Dublin Avenue	7	Countryside to Rail-Trail	E	2009	114	26117.00	1482.00	27599.00		
4.1	Dyckman Road	9	W.Sugnet to Crescent	E	580	400	7540.00	8400.00	15940.00	4	Sidewalk Ramps
4.1	Eastman Road	9	W.St.Andrews to W.Sugnet	E	1660		21580.00	4000.00	25580.00	5	Sidewalk Ramps
4.1	Edwin Street	15	Cambridge to Roman	S	582		7566.00	0.00	7566.00		

	CITY OF MIDLAND ENGINEERING DEPT.		2014 CITY COUNCIL SIDEWALK INVENTORY								
PRIORITY					FRONTAGE			COST			
CODE	STREET NAME	SEC.	LIMITS	SIDE	P.O.	CITY	P.O.	CITY	TOTAL		REMARKS
4.1	Elisena	33L	Joe Mann to Jacobs Drain	W	1500		19500.00	0.00	19500.00		
4.1	Evamar Drive	4	Bayberry to Siebert	N	608		7904.00	800.00	8704.00	1	Sidewalk Ramp
4.1	Fast Ice Drive	24	Bay City Road to Rockwell	E-N	3520	40	45760.00	2120.00	47880.00	2	Sidewalk Ramps
4.1	Foster Road	2	Wheeler to Brookfield	E	1830	10	23790.00	130.00	23920.00		
4.1	Gardenbrook Drive	2	Cranbrook to Brookfield	E	690		8970.00	0.00	8970.00		
4.1	Gary Street	14	Airfield to Dawn	E	620		8060.00	800.00	8860.00	1	Sidewalk Ramp
4.1	Glencoe Street	5	N.Saginaw Rd. to Joanne	W	529		6877.00	0.00	6877.00		
4.1	Hancock Street	13	Jay to West end of roadway	S	120		1560.00	800.00	2360.00	1	Sidewalk Ramp
4.1	Hancock Street	13	Clay to Lee	N	150	13	1950.00	969.00	2919.00	1	Sidewalk Ramp
4.1	Harcrest Drive	5	Eastman to E.Ln.Harcrest #3	N	330		4290.00	0.00	4290.00		
4.1	Haskin Drive	6	Perrine to Sturgeon Creek	N	764	99	9932.00	1287.00	11219.00		
4.1	Highland Drive	6	Moorland to Perrine	W	791	100	10283.00	1300.00	11583.00		
4.1	Hillcrest Road	9	W.Sugnet to N.Saginaw Rd.	E	1060	70	13780.00	910.00	14690.00		
4.1	Hubbard Street	17	W.Main to Butties	SE	240	60	3120.00	1580.00	4700.00	1	Sidewalk Ramp
4.1	Joseph Drive	34L	Jefferson to Midfield	N	2640	60	34320.00	1580.00	35900.00	1	Sidewalk Ramp
4.1	Lee Street	13	Quincy to Hancock	E	438	0	5694.00	0.00	5694.00		
4.1	Lemke Street	23	Beech to Bay City Rd.	E	610		7930.00	0.00	7930.00		
4.1	Leonard Lane	9	W.St.Andrews to Woodlawn	S	693	142	9009.00	3446.00	12455.00	2	Sidewalk Ramps
4.1	Loons Drive	21	Butties to Lyon	N	0	470	0.00	7710.00	7710.00	2	Sidewalk Ramps
4.1	McGill Street	11	Ashman to Darby	W	360		4680.00	0.00	4680.00		
4.1	McGregor Street	17	E. Park to W. Park	S	250	135	3250.00	3355.00	6605.00	2	Sidewalk Ramps
4.1	Milford Street	11	Ashman to Blairmont	W	334		4342.00	0.00	4342.00		
4.1	Nickels Street, E	16	Louanna to Rodd	SW	147	147	1911.00	2711.00	4622.00	1	Sidewalk Ramps
4.1	Norfolk Street	9	Castle to Hampshire	S	491	60	6383.00	780.00	7163.00		
4.1	North Parkway	9	Dyckman to Crescent	W	948	100	12324.00	1300.00	13624.00		
4.1	Norwood Drive	5	Campau to end of roadway	S	1130		14690.00	1600.00	16290.00	2	Sidewalk Ramps
4.1	Orchard Drive	17	W.Main to W.St.Andrews	E	650		8450.00	800.00	9250.00	1	Sidewalk Ramp
4.1	Orchard Drive	17	W.St.Andrews to W.Sugnet	E	1172	1610	15236.00	22530.00	37766.00	2	Sidewalk Ramps
4.1	Orchard Drive	8	W.Sugnet to N.Saginaw Rd.	E	2377		30901.00	0.00	30901.00		
4.1	Parsons Street	23	Sam to Dick	S	553		7189.00	0.00	7189.00		
4.1	Pine Street, E.	21	Rodd to Fournie	SW	1200		15600.00	800.00	16400.00	1	Sidewalk Ramp
4.1	Plymouth Park Dr.	10	Plymouth Park to Swede	N	453		5889.00	0.00	5889.00		
4.1	Powder Horn	1H	west of Foxfire #1	S	600		7800.00	0.00	7800.00		
4.1	Quincy Drive	13	Clay to Lee	N	31		403.00	0.00	403.00		
4.1	Reardon Street	16	Allen to Baker	W	176		2288.00	0.00	2288.00		
4.1	Revere Street	17	Main to West Park	W	166	279	2158.00	3627.00	5785.00		
4.1	Rodd Street	15	S.Saginaw Rd. to Cambridge	NW	140	100	1820.00	1300.00	3120.00		
4.1	Saginaw Rd., N.	7	Dublin to Cook	S	2800	1400	36400.00	19000.00	55400.00	1	Sidewalk Ramp
4.1	Sam Street	23	Bay City Rd. to Parsons	W	844	5	10972.00	865.00	11837.00	1	Sidewalk Ramp
4.1	Smith Road	18	Isabella to Hignite	E	1060	82	13780.00	2666.00	16446.00	2	Sidewalk Ramps
4.1	Springfield Drive	13	Gettysburg to N. Plat Line	W	180	10	2340.00	130.00	2470.00		
4.1	Stark Road	1H	Wackerly to City Limit	E	480	10	6240.00	930.00	7170.00	1	Sidewalk Ramps
4.1	Sugnet Road, W.	8	Cook to Eastman	S	3503	1797	45539.00	28161.00	73700.00	6	Sidewalk Ramps
4.1	Swede Road	2	Wildwood to E.Wackerly	E	350		4550.00	0.00	4550.00		
4.1	Union Street	16	Fitzhugh to Gordon	S	240		3120.00	2400.00	5520.00	3	Sidewalk Ramps
4.1	Union Street	16	Gordon to Ashman	N	190		2470.00	0.00	2470.00		
4.1	Universal Drive	6	Dublin to Hedgewood	S	247		3211.00	0.00	3211.00		
4.1	Vance Road	19	Cedar to N. end curbs	E	605		7865.00	800.00	8665.00	1	Sidewalk Ramps
4.1	Wackerly Road, W.	31L	Dublin to Perrine	N	3180		41340.00	0.00	41340.00		
4.1	Wackerly Road, W.	31L	Perrine to Sturgeon Creek	N	1280	860	16640.00	11180.00	27820.00		
4.1	Wackerly Road, W.	32L	Sturgeon Road to Fairview Inn	N	4350		56550.00	800.00	57350.00	1	Sidewalk Ramps
4.1	Walsh Street	15	E.Patrick to Colorado	W	62	62	806.00	1606.00	2412.00	1	Sidewalk Ramp
4.1	Washington Street	15	E.Patrick to E.Haley	E	820		10660.00	800.00	11460.00	1	Sidewalk Ramp
4.1	Wheeler Road, E.	3	Jefferson to Washington	N	305	2178	3965.00	31514.00	35479.00	4	Sidewalk Ramps
4.1	Wheeler Road, W.	9	N.Saginaw Rd. to Tucker	S		315	0.00	5695.00	5695.00	2	Sidewalk Ramps
4.1	Wheeler Road, W.	4	Russell to Jefferson	N	519	2595	6747.00	35335.00	42082.00	2	Sidewalk Ramps
4.1	Wingate Road	11	Hillgrove to Jenkins	N	90	90	1170.00	1170.00	2340.00		
4.1	Woodlawn Street	9	N.Saginaw Rd. to W.Sugnet	W	475	133	6175.00	1729.00	7904.00		
4.2	Airport Road	36Li	Stark to Hicks	S	2700	100	35100.00	2100.00	37200.00	1	Sidewalk Ramp
4.2	Alan Ott Drive	33L	Joe Mann to Ted Doan	E	501	0	6513.00	0.00	6513.00		
4.2	Ashman Street	12	Waldo to Rockwell	N	1515	2570	19695.00	33410.00	53105.00		
4.2	Bailey Bridge Road	1	Saginaw to Railroad	W	940	0	12220.00	0.00	12220.00		

CITY OF MIDLAND ENGINEERING DEPT.			2014 CITY COUNCIL SIDEWALK INVENTORY							
PRIORITY	STREET NAME	SEC.	LIMITS	SIDE	FRONTAGE		COST		TOTAL	REMARKS
CODE					P.O.	CITY	P.O.	CITY		
4.2	Bay City Road	23	Walter to Waldo	N	413	1255	5369.00	16315.00	21684.00	
4.2	Bay City Road	24	Gerald to 130' West	N	130		1690.00	800.00	2490.00	1 Sidewalk Ramp
4.2	Bay City Road	24	end of curb to Rockwell	N	2525		32825.00	800.00	33625.00	1 Sidewalk Ramp
4.2	Bay City Road	19W	Rockwell to City Limits	S	2000	1200	26000.00	15600.00	41600.00	
4.2	Bayliss Street	15	Patrick to Haley	W	1030		13390.00	3200.00	16590.00	4 Sidewalk Ramps
4.2	Chippewa River Road	24H	Isabella to City Limits	W	480	0	6240.00	0.00	6240.00	
4.2	Cinema Drive	33L	Airport to Joe Mann	W	820		10660.00	0.00	10660.00	
4.2	Clark Road	14H	Sandow to City Limits	N	626	0	8138.00	0.00	8138.00	
4.2	Clay Street	13	Hancock to North end of road	E	114	10	1482.00	1730.00	3212.00	2 Sidewalk Ramps
4.2	Cook Road	8	Tittabawassee to Main	E		620	0.00	8060.00	8060.00	
4.2	Cook Road	8	Main to W.Sugnet	E	2180		28340.00	800.00	29140.00	1 Sidewalk Ramp
4.2	Countryside Drive	12H	Green to Dublin	S	3920		50960.00	0.00	50960.00	
4.2	Diamond Drive	34L	Midfield to Waldo	S	0	9500	0.00	123500.00	123500.00	
4.2	Eastlawn Drive	14	Swede to Abbott	S	2465		32045.00	1600.00	33645.00	2 Sidewalk Ramps
4.2	Eastlawn Drive	14	Abbott to Waldo	S	2750		35750.00	800.00	36550.00	1 Sidewalk Ramp
4.2	Eastman Road	33	Joe Mann to City Limits	E	1543	0	20059.00	4000.00	24059.00	5 Sidewalk Ramp
4.2	Elmer Road	13H	Sandow to Glen	S	459	0	5967.00	0.00	5967.00	
4.2	Glen Road	13H	Elmer to Solomon	E	1052	120	13676.00	1560.00	15236.00	
4.2	Green Road	12H	Countryside to City Limits	W	2890		37570.00	0.00	37570.00	
4.2	Jefferson Avenue	33L	Joe Mann to Broadhead	W	1010	50	13130.00	2250.00	15380.00	2 Sidewalk Ramp
4.2	Joe Mann	33L	Wal-Mart to Jefferson	N	2875	15	37375.00	2595.00	39970.00	3 Sidewalk Ramp
4.2	Main Street, E.	21	Cronkright to State	SW		690	0.00	10570.00	10570.00	2 Sidewalk Ramps
4.2	Midfield Lane	34L	Joseph to south end	E	393	20	5109.00	1060.00	6169.00	1 Sidewalk Ramp
4.2	Natalie Street	5	Christie to Idle Acres No. 2	S	470		6110.00	0.00	6110.00	
4.2	Northwood Road	7	Saginaw to Sugnet	W	2340	45	30420.00	2185.00	32605.00	2 Sidewalk Ramps
4.2	Perrine Road	32	Airport Road to Letts	E	4450	30	57850.00	1990.00	59840.00	2 Sidewalk Ramps
4.2	Prairie Creek Drive	13H	Sandow to Sandow	E	1443	0	18759.00	0.00	18759.00	
4.2	Ridgewood Drive	13	Patrick to 653 ft. North	W	630		8190.00	0.00	8190.00	
4.2	Rockwell Drive	24	Bay City Rd. to 1500 ft. South	W	1330	170	17290.00	2210.00	19500.00	
4.2	Rockwell Drive	19W	Bay City Rd. to James Savage	E	1400	100	18200.00	1300.00	19500.00	
4.2	Saginaw Rd., N.	1H	Dublin to City Limits	S	800	600	10400.00	8600.00	19000.00	1 Sidewalk Ramp
4.2	St Andrews Rd., W	17	Orchard to Eastman	S	2850		37050.00	800.00	37850.00	1 Sidewalk Ramp
4.2	Sandow Road	13H	Isabella to City Limits	W	3005	75	39065.00	2575.00	41640.00	2 Sidewalk Ramp
4.2	Soccer Road	34L	Jefferson to Diamond	S	0	4090	0.00	53970.00	53970.00	1 Sidewalk Ramp
4.2	Solomon Road	13H	Sandow to Glen	N	454	0	5902.00	0.00	5902.00	
4.2	Sturgeon Road	32L	Wackerly to Letts	E	3600	200	46800.00	5000.00	51800.00	3 Sidewalk Ramps
4.2	Sugnet Road, W.	9	Eastman to N.Saginaw Rd.	S	2860	165	37180.00	3745.00	40925.00	2 Bridges Req'd.
4.2	Sugnet Road	7	Northwood to Whiting	N	700	110	9100.00	3030.00	12130.00	2 Sidewalk Ramps
4.2	Swede Road	14	E.Patrick to Eastlawn	E	2560		33280.00	2400.00	35680.00	3 Sidewalk Ramps
4.2	T. Moore Drive	33L	Joe Mann to north end	W	840	0	10920.00	0.00	10920.00	
4.2	Ted Doan Drive	33L	T. Moore to Jefferson	N	2196	0	28548.00	0.00	28548.00	
4.2	Union Street	16	George to State	N	480	4	6240.00	52.00	6292.00	
4.2	Vance Road	13	Chippewassee Trail to 1/8 line	W	3385		44005.00	0.00	44005.00	
4.2	Wackerly Road, E.	34L	Jefferson to Swede	N	5327		69251.00	0.00	69251.00	
4.2	Wackerly Road, W.	33L	Eastman to Jefferson	N	5280		68640.00	800.00	69440.00	1 Sidewalk Ramp
4.2	Wackerly Road, W.	36Li	Dublin to Stark	N	4900	500	63700.00	7300.00	71000.00	1 Sidewalk Ramp
4.2	Waldo Road	13	E.Patrick to E.Ashman	E	5180		67340.00	1600.00	68940.00	2 Sidewalk Ramps
4.2	Waldo Road	12	Mark Twain to Wheeler	E	1560	70	20280.00	910.00	21190.00	
4.2	Wexford Avenue	22	Jefferson to Lincoln	S	180		2340.00	0.00	2340.00	
4.2	Wexford Avenue	22	Tibbs to Bayliss	S	625		8125.00	0.00	8125.00	
4.2	Wheeler Road, E.	2	Butterfield to Exit Ramp	N	825	15	10725.00	995.00	11720.00	1 Sidewalk Ramps
4.2	Wildes Street	18	Isabella to Cones Court	W	150	53	1950.00	1489.00	3439.00	1 Sidewalk Ramps
4.3	Atwell Drive	20	Pine River Rd. to Whitman	E	1440		18720.00	0.00	18720.00	
4.3	Austin Street	21	Indian to Jefferson	SW	205	100	2665.00	2900.00	5565.00	2 Sidewalk Ramps
4.3	Austin Street	22	Jefferson to Pershing	S	590		7670.00	1600.00	9270.00	2 Sidewalk Ramps
4.3	Austin Street	23	S.Saginaw Rd. to Bay City Rd.	S	1321	715	17173.00	12495.00	29668.00	4 Sidewalk Ramps
4.3	Barth Street	22	Pershing to Bayliss	N	550		7150.00	0.00	7150.00	
4.3	Bay City Road	23	S.Saginaw to Burgess	N	430	90	5590.00	1170.00	6760.00	
4.3	Bay City Road	23	Burgess to Walter	N	870	450	11310.00	8250.00	19560.00	3 Sidewalk Ramps
4.3	Bayliss Street	15	Barth to Patrick	W	1170		15210.00	4800.00	20010.00	6 Sidewalk Ramps
4.3	Benson Street	21	Crissey to River	NW	140	596	1820.00	7748.00	9568.00	
4.3	Currie Parkway	17	Isabella to Main	N	0	4900	0.00	63700.00	63700.00	

CITY OF MIDLAND ENGINEERING DEPT.		2014 CITY COUNCIL SIDEWALK INVENTORY									
PRIORITY CODE	STREET NAME	SEC.	LIMITS	SIDE	FRONTAGE		P.O.	COST		TOTAL	REMARKS
					P.O.	CITY		CITY			
4.3	Fifth Street	21	Grove to Pine	SE	240		3120.00	0.00	3120.00		
4.3	Fourth Street	21	Indian to Grove	NW	240		3120.00	0.00	3120.00		
4.3	Grove Street, E.	21	Third to Sixth	NE	480		6240.00	0.00	6240.00		
4.3	Indian Street, E.	21	Third to Sixth	NE	300		3900.00	4800.00	8700.00	6	Sidewalk Ramps
4.3	Isabella Road	19	Vance to Currie Pkwy	S	5015	395	65195.00	9135.00	74330.00	5	Sidewalk Ramps
4.3	Isabella Road	20	Currie Parkway to W.Main	S		6000	0.00	78000.00	78000.00		
4.3	Isabella Road	24H	Vance to 1/2 mile west	S	2600	0	33800.00	2400.00	36200.00	3	Sidewalk Ramps
4.3	James Savage Road	22	Lyon to Washington	N	260		0.00	3380.00	3380.00		
4.3	James Savage Road	22	Washington to S.Saginaw Rd.	N	1800		0.00	24200.00	24200.00	1	Sidewalk Ramp
4.3	James Savage Road	23	S.Saginaw Rd. to Waldo	N	5950		0.00	78950.00	78950.00	2	Sidewalk Ramps
4.3	James Savage Road	24	Waldo to Rockwell	N	5440		0.00	71520.00	71520.00	1	Sidewalk Ramp
4.3	Jefferson Avenue	33L	Broadhead to Letts	W	2618	0	34034.00	800.00	34834.00	1	Sidewalk Ramp
4.3	Lyon Road	22	Carpenter to Washington	N	0	2610	0.00	39530.00	39530.00	7	Sidewalk Ramps
4.3	Lyon Road	22	Haley to Pine	N	0	1290	0.00	19970.00	19970.00	4	Sidewalk Ramps
4.3	Main Street, W.	17	Orchard to Cook	SW		3065	0.00	39845.00	39845.00		
4.3	Main Street, W.	17	Currie Pkwy to Orchard	SW		2625	0.00	34125.00	34125.00		
4.3	Mark Putnam Drive	23	S.Saginaw Rd. to Schuette	N	2240		29120.00	0.00	29120.00		
4.3	Patrick Road, E.	22	Jefferson to Washington	S	2300		29900.00	4000.00	33900.00	5	Sidewalk Ramps
4.3	Patrick Road, E.	22	Washington to S.Saginaw Rd.	S	1225		15925.00	4800.00	20725.00	6	Sidewalk Ramps
4.3	Patrick Road, E.	22	S.Saginaw Rd. to Waldo	S	5922	270	76986.00	5910.00	82896.00	3	Sidewalk Ramps
4.3	Patrick Road, E.	24	Waldo to East City Limits	S	4800	445	62400.00	8185.00	70585.00	3	Sidewalk Ramps
4.3	Patrick Road, W.	21	Haley to Jefferson	SE	0	2240	0.00	34720.00	34720.00	7	Sidewalk Ramps
4.3	Pershing Street	22	Austin to Barth	W	770	50	10010.00	1450.00	11460.00	1	Sidewalk Ramps
4.3	Pine River Road	20	Grey to Atwell	S	5000		65000.00	0.00	65000.00		
4.3	Pine Street, E.	21	Patrick to Fifth	NE	920		11960.00	1600.00	13560.00	2	Sidewalk Ramps
4.3	Plumer Street	23	Bay City Rd. to Austin	E	190	90	2470.00	1970.00	4440.00	1	Sidewalk Ramp
4.3	Poseyville Road	21	City Limits to Ellsworth	E	2166	2700	28158.00	35100.00	63258.00		
4.3	Ridgecrest Drive	13	Waldo to Ridgewood	N			0.00	0.00			Walks Not Req'd.
4.3	Ridgewood Drive	13	Eagle Ridge Research Park	W			0.00	0.00			Walks Not Req'd.
4.3	Saginaw Rd., S.	22	Bay City Rd. to 1st RR Track	W	2225	190	28925.00	2470.00	31395.00		
4.3	Saginaw Rd., S.	22	E. Patrick to Bay City Road	SW	1915	580	24895.00	9140.00	34035.00	2	Sidewalk Ramps
4.3	Saginaw Rd., S.	27	1st RR Track to Salzburg	W	5160	140	67080.00	1820.00	68900.00		
4.3	Saginaw Rd., S.	35	Salzburg to City Limits	SW	6430	530	83590.00	7690.00	91280.00	1	Sidewalk Ramp
4.3	St.Andrews Rd., W	16	Helen to Saginaw	N	3990		51870.00	1600.00	53470.00	2	Sidewalk Ramps
4.3	Salzburg Road	35	S.Saginaw Rd. to Waldo	S	4490	165	58370.00	2945.00	61315.00	1	Sidewalk Ramp
4.3	Schuette Road	23	Mark Putnam to Eastwick Sub.	N	1773		23049.00	1600.00	24649.00	2	Sidewalk Ramps
4.3	Schuette Road	23	Eastwick Subdivision No. 1	N			0.00	0.00			Walks Not Req'd.
4.3	Schuette Road	23	Eastwick Subdivision No. 2	N			0.00	0.00			Walks Not Req'd.
4.3	Sixth Street	21	Jefferson to Indian	SE	316	70	4108.00	2510.00	6618.00	2	Sidewalk Ramps
4.3	St.Charles Street	20	Whitman to Benson	W	231	680	3003.00	10440.00	13443.00	2	Sidewalk Ramps
4.3	Waldo Road	35	S.Saginaw Rd. to Centennial	W	8300	2400	107900.00	34400.00	142300.00	4	Sidewalk Ramp
4.3	Waldo Road	35	200 ft. S. of Cobb to Centennial	W	400		5200.00	0.00	5200.00		
4.3	Waldo Road	23	Yale to Patrick	W	808	760	10504.00	13080.00	23584.00	4	Sidewalk Ramp
4.3	Whitman Drive	20	Atwell to St.Charles	S	3700		48100.00	0.00	48100.00		
5	Albee Street	18	Rumple to Pinehurst	E	58	10	754.00	930.00	1684.00	1	Sidewalk Ramp
5	Ashly Court	4	Harwood to end of ct	N	193		2509.00	0.00	2509.00		
5	Ashly Court	4	Harwood to end of ct	S	191		2483.00	0.00	2483.00		
5	Berkshire Court	9	Crescent to end of court	E	756	15	9828.00	995.00	10823.00	1	Sidewalk Ramp
5	Berkshire Court	9	Crescent to end of court	W	782		10166.00	800.00	10966.00	1	Sidewalk Ramp
5	Bond Court	9	Crescent to end of court	E	356		4628.00	800.00	5428.00	1	Sidewalk Ramp
5	Bond Court	9	Crescent to end of court	W	378		4914.00	800.00	5714.00	1	Sidewalk Ramp
5	Bradfield Street	18	Smith to end of roadway	S	338	100	4394.00	1300.00	5694.00		
5	Bradfield Street	18	Smith to end of roadway	N	441	78	5733.00	1014.00	6747.00		
5	Bristol Court	9	Crescent to end of court	E	290		3770.00	0.00	3770.00		
5	Bristol Court	9	Crescent to end of court	W	237	73	3081.00	949.00	4030.00		
5	Burrell Court	9	Eastman to end of court	N	505		6565.00	0.00	6565.00		
5	Burrell Court	9	Eastman to end of court	S	491	10	6383.00	130.00	6513.00		
5	Campbell Court, E	10	Dartmouth to end of court	N	191		2483.00	0.00	2483.00		
5	Campbell Court, E	10	Dartmouth to end of court	S	143		1859.00	0.00	1859.00		
5	Centennial Drive	24	Waldo to end of court	N			0.00	0.00			Walks Not Req'd.
5	Centennial Drive	24	Waldo to end of court	S			0.00	0.00			Walks Not Req'd.
5	Charles Street	23	Sam to 300 ft. East	N	265		3445.00	0.00	3445.00		

CITY OF MIDLAND ENGINEERING DEPT.			2014 CITY COUNCIL SIDEWALK INVENTORY							
PRIORITY	STREET NAME	SEC.	LIMITS	SIDE	FRONTAGE		COST		TOTAL	REMARKS
CODE					P.O.	CITY	P.O.	CITY		
5	Charles Street	23	Sam to 300 ft. East	S	267	60	3471.00	780.00	4251.00	
5	Chelsea Court	9	N.Saginaw to end of court	E	415		5395.00	0.00	5395.00	
5	Chelsea Court	9	N.Saginaw to end of court	W	420	15	5460.00	195.00	5655.00	
5	Christie Court	5	Natalie to end of court	E	580		7540.00	1600.00	9140.00	2 Sidewalk Ramps
5	Christie Court	5	Natalie to end of court	W	574		7462.00	0.00	7462.00	
5	Clover Court	9	Dyckman to end of court	N	196		2548.00	800.00	3348.00	1 Sidewalk Ramp
5	Clover Court	9	Dyckman to end of court	S	120	75	1560.00	1775.00	3335.00	1 Sidewalk Ramp
5	Colorado Court	15	Walsh to end of court	S	520	0	6760.00	800.00	7560.00	1 Sidewalk Ramp
5	Commerce Court	33L	Commerce Dr. to end of court	E	670	0	8710.00	0.00	8710.00	
5	Commerce Court	33L	Commerce Dr. to end of court	W	690	0	8970.00	0.00	8970.00	
5	Cones Court	18	Wildes to end of court	S	52	60	676.00	780.00	1456.00	
5	Cottonwood Street	24	Cobb to South End	W	125	0	1625.00	0.00	1625.00	
5	Cottonwood Street	24	Cobb to South End	E	131	0	1703.00	0.00	1703.00	
5	Crescent Court	9	Dyckman to end of court	N	325	10	4225.00	130.00	4355.00	
5	Crescent Court	9	Dyckman to end of court	S	319		4147.00	800.00	4947.00	1 Sidewalk Ramp
5	Crestwood Court	4	Siebert to end of court	N	283		3679.00	0.00	3679.00	
5	Crestwood Court	4	Siebert to end of court	S	267		3471.00	0.00	3471.00	
5	Darby Court	11	Lawndale to end of court	N	60		780.00	800.00	1580.00	1 Sidewalk Ramp
5	Darby Court	11	Lawndale to end of court	S	100		1300.00	800.00	2100.00	1 Sidewalk Ramp
5	Dartmouth Court	10	E.St.Andrews to end of court	E	240	50	3120.00	650.00	3770.00	
5	Dartmouth Court	10	E.St.Andrews to end of court	W	240	50	3120.00	650.00	3770.00	
5	Dauer Court	14	Schreeve to end of court	W	281	25	3653.00	1125.00	4778.00	1 Sidewalk Ramps
5	Deerfield Court	4	Siebert to end of court	N	130		1690.00	0.00	1690.00	
5	Deerfield Court	4	Siebert to end of court	S	145		1885.00	0.00	1885.00	
5	Gerald Court	24	Bay City Rd. to end of court	E	613		7969.00	0.00	7969.00	
5	Gerald Court	24	Bay City Rd. to end of court	W	521	90	6773.00	1170.00	7943.00	
5	Gladding Court	9	Crescent to end of court	E	662		8606.00	0.00	8606.00	
5	Gladding Court	9	Crescent to end of court	W	610		7930.00	0.00	7930.00	
5	Grant Lane	14	Waldo to West end of roadway	N	835		10855.00	0.00	10855.00	
5	Grant Lane	14	Waldo to West end of roadway	S	1152		14976.00	0.00	14976.00	
5	Grove Court	21	Third to end of court	N		240	0.00	3120.00	3120.00	
5	Grove Court	21	Third to end of court	S		240	0.00	3120.00	3120.00	
5	Hampden Court	9	Meadowbrook to end of court	N	520	80	6760.00	1040.00	7800.00	
5	Hampden Court	9	Meadowbrook to end of court	S	234	10	3042.00	130.00	3172.00	
5	Hannah Court	10	Cambridge to end of court	S	249		3237.00	0.00	3237.00	
5	Hill Court	16	W.St.Andrews to end of court	E	130	75	1690.00	975.00	2665.00	
5	Hill Court	16	W.St.Andrews to end of court	W	100	75	1300.00	975.00	2275.00	
5	Huron Drive	10	Meadowbrook to end of court	E	580	80	7540.00	1040.00	8580.00	
5	Huron Drive	10	Meadowbrook to end of court	W	580	95	7540.00	2035.00	9575.00	1 Sidewalk Ramp
5	Kent Street	23	Bay City Road to South End	E	1190		15470.00	0.00	15470.00	
5	Kent Street	23	Bay City Road to South End	W	1196		15548.00	0.00	15548.00	
5	Kilt Court	6	Highland to end of court	N	150	75	1950.00	975.00	2925.00	
5	Kilt Court	6	Highland to end of court	S	160	75	2080.00	975.00	3055.00	
5	Kingsbury Court	4	Siebert to end of court	N	291		3783.00	0.00	3783.00	
5	Kingsbury Court	4	Siebert to end of court	S	289		3757.00	0.00	3757.00	
5	Knollwood Court	4	Siebert to end of court	N	350		4550.00	0.00	4550.00	
5	Knollwood Court	4	Siebert to end of court	S	350		4550.00	0.00	4550.00	
5	Koerner Court	10	Dartmouth to end of court	N	348	70	4524.00	910.00	5434.00	
5	Koerner Court	10	Dartmouth to end of court	S	232	70	3016.00	910.00	3926.00	
5	Laughton Drive	13H	Isabella to end of street	E	545	0	7085.00	0.00	7085.00	
5	Laughton Drive	13H	Isabella to end of street	W	545	0	7085.00	0.00	7085.00	
5	Longview Street	23	Bay City Rd. to end of road	E	1053	60	13689.00	780.00	14469.00	
5	Longview Street	23	Bay City Rd. to end of road	W	1025	60	13325.00	780.00	14105.00	
5	Lucky Court	14	Airfield Lane to end of court	E	362		4706.00	0.00	4706.00	
5	Lucky Court	14	Airfield Lane to end of court	W	140		1820.00	0.00	1820.00	
5	Marvo Court	6	Sturgeon Creek to end of court	N	205		2665.00	0.00	2665.00	
5	Marvo Court	6	Sturgeon Creek to end of court	S	290		3770.00	0.00	3770.00	
5	Novak Street	14	E.Ashman to end of court	W	261		3393.00	0.00	3393.00	
5	Novak Street	14	E.Ashman to end of court	E	1112		14456.00	0.00	14456.00	
5	Ottawa Court	10	Meadowbrook to end of court	E	115		1495.00	800.00	2295.00	1 Sidewalk Ramp
5	Ottawa Court	10	Meadowbrook to end of court	W	245	60	3185.00	1580.00	4765.00	1 Sidewalk Ramp
5	Ottawa Street	10	Seminole to end of street	E	137	0	1781.00	800.00	2581.00	1 Sidewalk Ramp

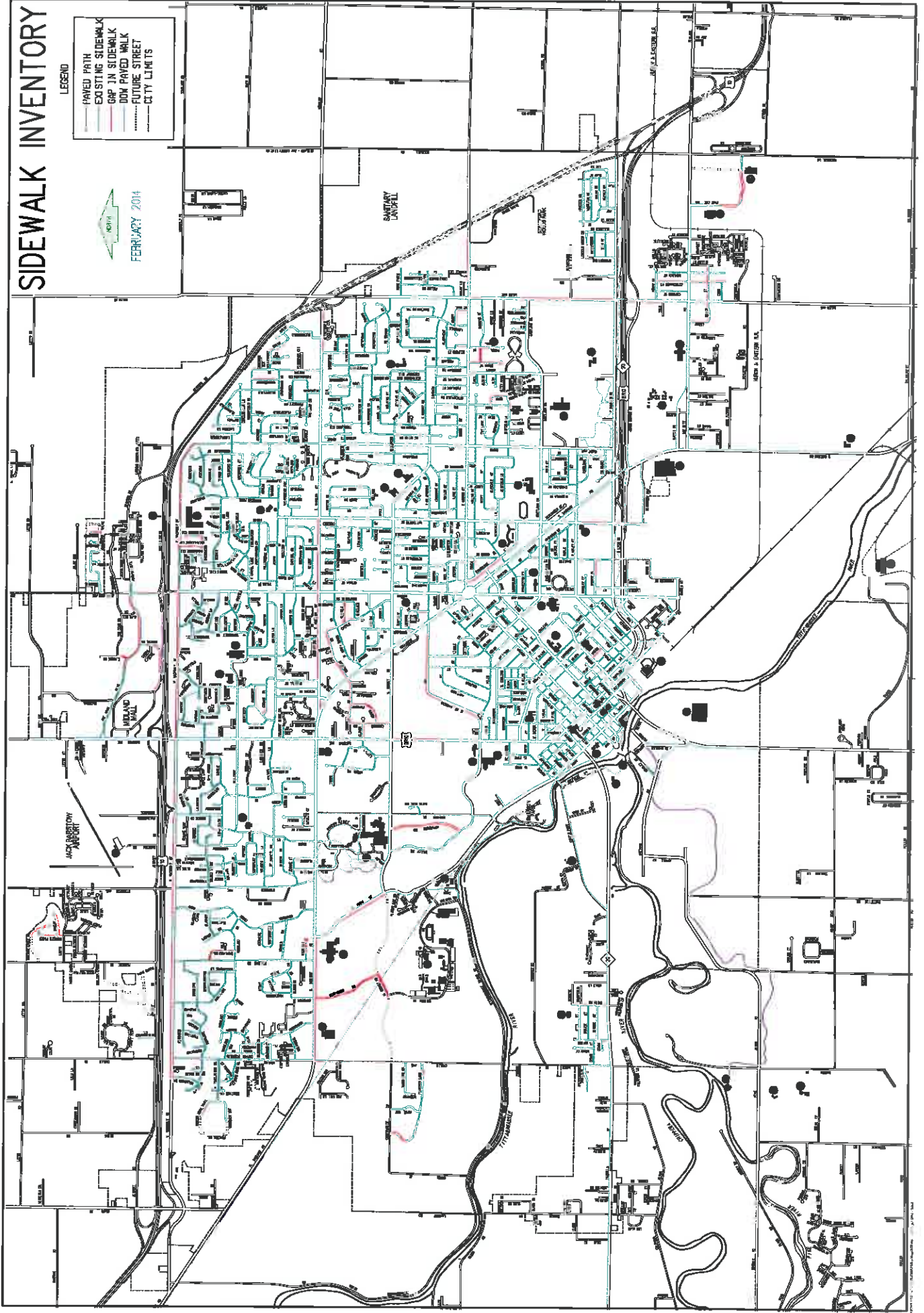
CITY OF MIDLAND ENGINEERING DEPT.			2014 CITY COUNCIL SIDEWALK INVENTORY							
PRIORITY	STREET NAME	SEC.	LIMITS	SIDE	FRONTAGE		COST		TOTAL	REMARKS
CODE					P.O.	CITY	P.O.	CITY		
5	Parsons Court	23	Dick Street to end of court	N	613	10	7969.00	930.00	8899.00	1 Sidewalk Ramp
5	Parsons Court	23	Dick Street to end of court	S	602		7826.00	0.00	7826.00	
5	Paul Court	9	Leonard to end of court	N	105		1365.00	0.00	1365.00	
5	Paul Court	9	Leonard to end of court	S	141	85	1833.00	1105.00	2938.00	
5	Pepperidge Court	4	Siebert to end of court	N	380		4940.00	0.00	4940.00	
5	Pepperidge Court	4	Siebert to end of court	S	310		4030.00	0.00	4030.00	
5	Pfeiffer Court	6	Perrine to end of court	N	576		7488.00	0.00	7488.00	
5	Pfeiffer Court	6	Perrine to end of court	S	264		3432.00	0.00	3432.00	
5	Post Street	17	W.Main to end of street	W	320		4160.00	0.00	4160.00	
5	Reardon Court	16	George to end of court	N	78		1014.00	0.00	1014.00	
5	Reardon Court	16	George to end of court	S	82		1066.00	0.00	1066.00	
5	Rhyne Lane	7	Cook Road to End	N	345	5	4485.00	65.00	4550.00	
5	Rhyne Lane	7	Cook Road to End	S	465	5	6045.00	65.00	6110.00	
5	Richard Court	16	Manor to end of court	N	292	10	3796.00	130.00	3926.00	
5	Richard Court	16	Manor to end of court	S	300	85	3900.00	1105.00	5005.00	
5	Ridgewood Drive	13	E.Ashman to end of street	E	860		11180.00	0.00	11180.00	
5	Ridgewood Drive	13	E.Ashman to end of street	W	850		11050.00	0.00	11050.00	
5	Roanoke Court	9	Crescent to end of court	E	200		2600.00	0.00	2600.00	
5	Roanoke Court	9	Crescent to end of court	W	183		2379.00	0.00	2379.00	
5	Robin Court	6	Bluebird to end of court	E	255		3315.00	0.00	3315.00	
5	Robin Court	6	Bluebird to end of court	W	240		3120.00	0.00	3120.00	
5	Ross Court	16	Mertz to end of street	SE	65	65	845.00	845.00	1690.00	
5	Rowe Court	19	Isabella Road to end of court	E	340		4420.00	0.00	4420.00	
5	Rowe Court	19	Isabella Road to end of court	W	325		4225.00	0.00	4225.00	
5	Rumple Court	18	Albee to end of court	N	400		5200.00	0.00	5200.00	
5	Rumple Court	18	Albee to end of court	S	400		5200.00	0.00	5200.00	
5	Sam Street	23	Parsons to end of street	E	280	10	3640.00	930.00	4570.00	1 Sidewalk Ramp
5	Sam Street	23	Parsons to end of street	W	264		3432.00	0.00	3432.00	
5	Sandy Ridge Court	9	Leonard to end of court	N&S	520		6760.00	0.00	6760.00	
5	Sharon Court	11	Sharon Rd. to end of court	N	145	75	1885.00	975.00	2860.00	
5	Sharon Court	11	Sharon Rd. to end of court	S	145	75	1885.00	975.00	2860.00	
5	Shawnee Court	10	Meadowbrook to end of court	E	228	75	2964.00	975.00	3939.00	
5	Shawnee Court	10	Meadowbrook to end of court	W	258	75	3354.00	975.00	4329.00	
5	Sherwood Court	9	Crescent to end of court	E	330		4290.00	0.00	4290.00	
5	Sherwood Court	9	Crescent to end of court	W	330	10	4290.00	130.00	4420.00	
5	Snowfield Court	8	Sugnet to end of ct.	E	1094		14222.00	0.00	14222.00	
5	Snowfield Court	8	Sugnet to end of ct.	W	1026		13338.00	0.00	13338.00	
5	Sterling Drive	4	Siebert to East end of street	N	760		9880.00	800.00	10680.00	1 Sidewalk Ramp
5	Sterling Drive	4	Siebert to East end of street	S	598		7774.00	800.00	8574.00	1 Sidewalk Ramp
5	Terra Drive	8	Arbor to end of street	S	232		3016.00	0.00	3016.00	
5	Thurlow Court	16	Williams to end of court	SE	146	65	1898.00	1645.00	3543.00	1 Sidewalk Ramp
5	Trinity Court	9	N.Saginaw Rd. to end of court	N	399	70	5187.00	910.00	6097.00	
5	Trinity Court	9	N.Saginaw Rd. to end of court	S	410	100	5330.00	1300.00	6630.00	
5	Vail Court	9	Jefferson to end of court	N	243		3159.00	0.00	3159.00	
5	Vail Court	9	Jefferson to end of court	S	205	75	2665.00	975.00	3640.00	
5	Varner Court	9	Jefferson to end of court	N	409	100	5317.00	1300.00	6617.00	
5	Varner Court	9	Jefferson to end of court	S	495		6435.00	0.00	6435.00	
5	Walter Street	23	Bay City Rd. to end of street	W	1016	115	13208.00	1495.00	14703.00	
5	Walter Street	23	Bay City Rd. to end of street	E	1062	88	13806.00	1144.00	14950.00	
5	Warwick Street	5	Dilloway to end of street	E	135		1755.00	0.00	1755.00	
5	Warwick Street	5	Dilloway to end of street	W	120		1560.00	0.00	1560.00	
5	Welch Drive	13H	Isabella to end of street	E	330		4290.00	0.00	4290.00	
5	Welch Drive	13H	Isabella to end of street	W	330		4290.00	0.00	4290.00	
5	Wildes Street	18	Isabella to end of court	E	180		2340.00	0.00	2340.00	
5	Wildes Street	18	Avon Street to end of Court	E	150		1950.00	0.00	1950.00	
5	Windsor Court	6	Sturgeon Creek to end of court	N	330	75	4290.00	975.00	5265.00	
5	Windsor Court	6	Sturgeon Creek to end of court	S	320	75	4160.00	975.00	5135.00	
5	Wisconsin Street	15	Washington to end of court	S	840		10920.00	0.00	10920.00	
5	Wood Court	14	Airfield to end of court	E	362		4706.00	0.00	4706.00	
5	Wood Court	14	Airfield to end of court	W	49	52	637.00	676.00	1313.00	
6	Airport Road	31L	Winterberry Place							Funds Deposited
6	Arrow Cove	23	Eastwick Industrial Park							

2/13/2014

SIDEWALK INVENTORY

LEGEND

- PAVED PATH
- EXISTING SIDEWALK
- GAP IN SIDEWALK
- NOV PAVED WALK
- FUTURE STREET
- CITY LIMITS



Attached documents for item * Naming the City Manager as Transportation Coordinator and stating the City's intentions to provide public transportation services and apply for Federal and State Financial Assistance. MURPHY

SUMMARY REPORT TO MANAGER

For City Council Meeting of February 24, 2014

SUBJECT: Annual application to the State of Michigan for Dial-A-Ride funding

INITIATED BY: Department of Public Services

RESOLUTION SUMMARY: This resolution names the City Manager as the Transportation Coordinator and states the City's intentions to provide public transportation services, and apply for an estimated \$668,713 in state operating assistance and \$363,404 in federal operating assistance.

ITEMS ATTACHED:

1. Transmittal letter to City Manager
2. Resolution

CITY COUNCIL ACTION:

1. 3/5 vote required to approve resolution


Karen Murphy
Director of Public Services



Department of Public Services • 4811 North Saginaw Road • Midland, Michigan 48640 • 989.837.6900 • 989.835.5651 Fax • www.midland-mi.org

February 18, 2014

Jon Lynch
City Manager
Midland, Michigan

RE: Annual Application to the State of Michigan for Dial-A-Ride Funding

The Dial-A-Ride division of the Department of Public Services is in the process of preparing an application for State of Michigan financial assistance for the State's fiscal year 2015. This application is required under Act 51 of the Public Acts of 1951. The application also includes a request for federal assistance under Section 5307 as required by the Federal Transit Act. The state requires that each transit agency submit along with their application, a resolution of intent to participate in the comprehensive transportation fund for the year. The resolution must indicate that the local transportation budget is balanced and specify the sources of estimated revenue that support the proposed budget. The resolution must also name an official representative from the agency to act as Transportation Coordinator for passenger transportation matters.

Staff has submitted an estimated budget to the State of Michigan for Dial-A-Ride operations for 2014/2015 that includes State of Michigan eligible expenses of \$1,844,217. Under the State's program, eligible expenses do not include capital outlay items or reserve for contingency amounts. For the State of Michigan's fiscal year 2015, Dial-A-Ride is requesting an estimated \$668,713 in state operating assistance and an estimated \$363,404 in federal operating assistance for general public transit services based on the proposed eligible expenses. These funds will be used to support the daily operating expenses for the Dial-A-Ride bus system, with the remaining difference to be covered by fare box and rider fees totaling \$118,000, and a contribution from the general fund of approximately \$694,100.

In addition to the annual financial assistance application, the City Manager is appointed as the Transportation Coordinator for the City of Midland and given authority to enter into and execute all contracts with the Michigan Department of Transportation related to passenger transportation needs for the State's fiscal year 2015. This expedites the state funding process for passenger related transportation services.

Respectfully submitted,

Karen Murphy, Director of Public Services



Department of Public Services • 4811 North Saginaw Road • Midland, Michigan 48640 • 989.837.6900 • 989.835.5651 Fax • www.midland-mi.org

BY COUNCILMAN

WHEREAS, pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), the City of Midland provides a local transportation program for the state fiscal year 2015 and, therefore, it is necessary to apply for state financial assistance under provisions of Act 51; and

WHEREAS, it is necessary for the City of Midland to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and

WHEREAS, the performance indicators for Dial-A-Ride have been reviewed and approved by the City of Midland staff; and

WHEREAS, staff has submitted to the State of Michigan a proposed balanced budget of approximately \$1,844,217 for Dial-A-Ride operations in 2014/2015 with the intent to apply for an estimated \$668,713 in state operating assistance funds; an estimated \$363,404 in federal 49 USC 5307 operating assistance funds; an estimated \$118,000 from fare box fees; and an estimated \$694,100 in local general fund support to balance the budget for state fiscal year 2015; now therefore

RESOLVED, that the City Manager is hereby named as Transportation Coordinator for all public transportation matters; and

RESOLVED FURTHER, that the City of Midland hereby makes its intentions known to provide public transportation services and to apply for state and federal financial assistance in accordance with Act 51 and the City Clerk is hereby directed to provide a certified copy of the resolution for submittal to the Michigan Department of Transportation as part of the annual budget application packet.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

Attached documents for item Authorizing City staff to work with the Midland Area Community Foundation and Leathers Associates to complete the renovation of the Fun Zone in Plymouth Park. MURPHY

SUMMARY REPORT TO MANAGER

For City Council Meeting of February 24, 2014

SUBJECT: Renovation of the Fun Zone in Plymouth Park

INITIATED BY: Department of Public Services

RESOLUTION SUMMARY: This resolution authorizes city staff to work with the Midland Area Community Foundation and playground designers Leathers Associates, Inc. of Ithaca, New York on a renovation of the Fun Zone in Plymouth Park.

ITEMS ATTACHED:

1. Transmittal letter to City Manager
2. Conceptual plan for renovation
3. Resolution

CITY COUNCIL ACTION:

1. 3/5 vote required to approve resolution


Karen Murphy
Director of Public Services



Parks & Recreation • 4811 N. Saginaw Road • Midland, Michigan 48640-2321 • 989.837.6930 • 989.835.5651-Fax

February 18, 2014

Jon Lynch
City Manager
Midland, Michigan

RE: Renovation of the Fun Zone in Plymouth Park

In June, the Fun Zone will celebrate 20 years of providing an outdoor venue for creative play for preschool through elementary aged children in the community. Originally inspired by a group of local residents, construction of the Fun Zone was funded entirely by donated monies and materials, and built by hundreds of volunteers from the community. After two decades of withstanding Michigan weather and thousands of small visitors, the structure is showing its age. In 2011, the City hired the original design firm, Leathers Associates of Ithaca, New York, to inspect the playground and provide a report on the recommended improvements needed to extend the life of the structure another 15 years. The report included some safety improvements as well as replacement of the wood decking and handrail system with a composite material.

With this report in hand, staff approached the Midland Area Community Foundation (MACF) with the proposed renovation, and the foundation felt this would be a great community project given its history. MACF staff has offered to lead the fundraising and communications end of the project as well as work in coordination with City staff on the steering committee to move the project forward. I believe this will be an excellent partnership with the MACF's connections to the community and the City's extensive knowledge of the playground.

Being a community-based project, the steering committee wanted first to receive public input on what users of the park wanted to see improved or changed. Two public meetings were held and an on-line survey was distributed to solicit input. After hearing from over 60 people, the steering committee compiled a proposed list of improvements that include the items recommended by Leathers along with the addition of a perimeter fence, adding accessible play features, replacing all the original metal slides with plastic slides, adding some new play features, rebuilding some existing features to meet current safety standards, adding a shade sail, and additional seating for parents. The newly renovated structure will have the excitement of an upgraded park while still retaining the distinguishing design and main elements that make it the Fun Zone.

The total cost for the project is estimated at \$220,000, which includes the cost for Leathers' design and construction management services, as well as the cost for materials. The project will mimic the original build with the majority of the labor to be provided by community volunteers.

Jon Lynch
February 18, 2014
Page Two

MACF and the City plan to fund the project as follows:

City Parks playground budget	\$20,000
MACF community project funds	\$65,000
Fun Zone endowed maintenance fund	\$10,000
Local service/civic clubs	\$20,000
Community donations	\$105,000
 TOTAL FUNDS NEEDED	 \$220,000

The community donation component of the fundraising will consist of the sale of sponsorships for fence pickets and playground components. Over 800 fence pickets will be available for purchase and can be engraved at the purchaser's request. The pickets will be used to build the perimeter fence. Recognition will be provided as well for those who choose to sponsor a playground component.

In addition to funding, the project will require a large volunteer labor component. The steering committee will be seeking out volunteers ranging from construction crew leaders to people to coordinate food/beverages for the volunteers to hundreds of laborers to help swing hammers and yield paint brushes. The project is scheduled for June 4-8.

The attached resolution requests Council's support of the project by authorizing staff to work in partnership with MACF and Leathers Associates to see the project through to completion.

Respectfully submitted,



Karen Murphy, Director of Public Services



Parks & Recreation • 4811 N. Saginaw Road • Midland, Michigan 48640-2321 • 989.837.6930 • 989.835.5651-Fax

BY COUNCILMAN

WHEREAS, the Fun Zone located in Plymouth Park offers a unique outdoor venue for creative play for preschool and elementary aged children; and

WHEREAS, the Fun Zone will celebrate its 20-year anniversary in 2014 and is in need of renovations to extend its life another 15 years; and

WHEREAS, the original designer of the Fun Zone, Leathers Associates of Ithaca, New York have recommended a renovation to the structure based on community input; and

WHEREAS, the City and the Midland Area Community Foundation have developed a project plan for the renovation that includes a substantial fundraising campaign and a large community volunteer labor force; and

WHEREAS, the project has been scheduled to take place June 4-8 at Plymouth park; now therefore

RESOLVED, that City staff are authorized to work with the Midland Area Community Foundation and Leathers Associates to complete the renovation of the Fun Zone.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

Attached documents for item * Approving a contribution from the City's General Fund to help fund the community-wide strategic planning effort. KEENAN

SUMMARY REPORT TO MANAGER
For City Council Meeting of February 24, 2014

SUBJECT: Approving a contribution from the City's General Fund to help fund the community-wide strategic planning effort

INITIATED BY: David A. Keenan, Assistant City Manager for Financial Services

RESOLUTION SUMMARY:

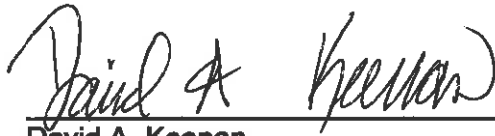
This resolution approves payment of \$25,000 from the General Fund to the Midland Area Community Foundation to help fund the community-wide strategic planning effort.

ITEMS ATTACHED:

1. Letter of Transmittal
2. Resolution

CITY COUNCIL ACTION:

3/5 affirmative vote required for adoption



David A. Keenan
Assistant City Manager for Financial Services



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

TO: Jon Lynch, City Manager

FM: David A. Keenan, Assistant City Manager for Financial Services

DT: February 19, 2014

RE: Community Success Panel Contribution

The City of Midland is a member of the Community Success Panel, a group of local businesses and institutions that have come together to enhance prosperity in Midland County by gathering key stakeholders to envision our best future through sharing ideas, building productive relationships, and aligning economic development efforts.

Members of the Panel include:

MidMichigan Medical Center
Chemical Bank
Dow Chemical Co.
City of Midland
Midland Public Schools
Midland Area Community Foundation
United Way of Midland County

Chamber of Commerce
Midland Center for the Arts
Dow Corning Corp.
Midland County
Midland County ESA
Midland Tomorrow
Northwood University

The group is prepared to undertake a community-wide strategic planning effort that will engage both members of the panel and the community in numerous activities to assure that the Midland Community is in touch with some of the best thinking in sustainability, resiliency, and prosperity, and will provide answers to the questions: "Where are we?", "Where do we hope to be?", and "How do we get there?"

The finished product will be a detailed strategic plan and implementation matrix.

Through the Midland Area Community Foundation, the group will engage the services of The Novak Consulting Group to oversee this entire process and produce the end documents. The not-to-exceed price for this service is \$107,000. The City of Midland is prepared to make up to a \$25,000 contribution to this effort.

Because the amount exceeds \$20,000, which is the City Manager's level of authority, City Council approval is required. The accompanying resolution for City Council's consideration would provide such authorization.



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

BY COUNCILMAN

WHEREAS, the City of Midland is a member of the Community Success Panel, which is a group of local businesses and institutions that come together to enhance the prosperity in Midland County by gathering key stakeholders to envision our best future through sharing ideas, building productive relationships, and aligning economic development efforts; and

WHEREAS, the Community Success Panel is prepared to undertake a community-wide strategic planning effort by utilizing The Novak Consulting Group via the Midland Area Community Foundation; and

WHEREAS, the City of Midland wishes to participate in this effort by contributing \$25,000 towards funding the cost of this strategic planning effort; and

WHEREAS, sufficient funding is available within the City's 2013-14 General Fund Budget; now therefore

RESOLVED, that the City of Midland shall provide payment of \$25,000 from the City's 2013-14 General Fund Budget to the Midland Area Community Foundation to help fund the costs of the community-wide strategic planning effort.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all of the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

Attached documents for item * Approving a budget transfer to provide funding for the purchase of property at 402 Towsley Street, and authorizing the actual purchase of the property. KAYE

**SUMMARY REPORT TO CITY MANAGER
for City Council Meeting of 2-24-14**

SUBJECT: Approving a budget transfer to providing funding for the purchase of property at 402 Towsley Street, and authorizing the actual purchase of the property at 402 Towsley Street.

RESOLUTION SUMMARY: These resolutions will:

- a. Approve a budget transfer to move \$55,000 from the General Fund 2013-14 Reserve for Contingencies appropriation to the Planning Department capital expense budget of the General Fund to provide funding for the purchase of property at 402 Towsley Street.
- b. Approve the purchase of the property at 402 Towsley Street for the price of \$55,000.

ITEMS ATTACHED:

1. Letter of transmittal to City Manager.
2. Resolutions (2) for City Council action.
3. Purchase Agreement
4. Map showing location of property.

CITY COUNCIL ACTION:

1. Public hearing is not required.
2. 3/5 vote required to approve resolution.



C. Bradley Kaye, AICP, CFM
Director of Planning & Community Development

CBK/djm

2-19-14



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.midland-mi.org

February 19, 2014

Jon Lynch, City Manager
City Hall - 333 West Ellsworth Street
Midland, Michigan

Dear Mr. Lynch:

402 Towsley Street is located at the end of the Tridge and is the last remaining residential property on this street. All other properties surrounding this site have been acquired by the City of Midland over a period of years and the residences on them have been removed. The City's intent in acquiring and clearing these properties is to remove structures in the floodway of the Tittabawassee River and reduce the risk of property damage and loss of life caused by flooding.

The property in question was occupied until the spring of 2013. At that time, following further flood damage, electrical power to the home was disconnected by Consumers Energy. Extensive electrical work would be required to satisfy the demands of Consumers Energy and restore electrical power to the house. Rather than undertake such an expense, the landowner has offered the property to the City of Midland.

In cooperation with the landowner, appraisals of the property were completed. A purchase agreement was subsequently entered into with the landowner, subject to City Council approval of the purchase. The agreed upon purchase price of \$55,000 represents an approximate average of the appraisal values. This value is consistent with or less than the previous purchase prices for many of the residences and properties in the area.

Funding for this property acquisition will be taken from the City's General Fund Reserve for Contingencies. A transfer of \$55,000 from this fund to the Planning Department capital expense budget is necessary for this purpose. Adequate reserve funds exist to cover this acquisition. City management staff is also pursuing a possible reimbursement of this amount from local funding sources.

The purchase of this property would be consistent with previous actions of City Council and would further the objective of removing occupied structures from the floodway. This action would also complete the acquisition of all properties in this area of the floodway and remove the last residence from this area of the City now used primarily for park and recreational purposes.

Two resolutions requesting City Council action are attached. The first resolution requests Council approval of a budget transfer in the amount of \$55,000 from the General Fund Reserve for Contingencies to the Planning Department capital expense budget. The second resolution requests Council authorization to complete the purchase of this property for the amount of \$55,000.

Respectfully,

A handwritten signature in blue ink that reads "C. Bradley Kaye". The signature is written in a cursive, flowing style.

C. Bradley Kaye, AICP, CFM
Director of Planning & Community Development

CBK/djm



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.midland-mi.org

BY COUNCILMAN

WHEREAS, the owner of 402 Towsley wishes to sell the property at that location to the City of Midland for a cost of \$55,000; and

WHEREAS, the City of Midland wishes to acquire the property at 402 Towsley but this transaction was not considered at the time the 2013-14 budget for the General Fund's Planning Department was adopted; and

WHEREAS, there is sufficient funding in the General Fund Reserve for Contingencies appropriation to transfer \$55,000 to the Planning Department capital budget to provide the funding for this purchase; and

WHEREAS, a budget transfer from a contingency account that exceeds \$25,000 requires the approval of City Council; now therefore

RESOLVED, City Council authorizes a budget transfer to move \$55,000 from the General Fund 2013-14 Reserve for Contingencies appropriation to the Planning Department capital expense budget of the General Fund to provide funding for the purchase of 402 Towsley.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all of the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.midland-mi.org

BY COUNCILMAN

WHEREAS, the property located at 402 Towsley Street is in the floodway of the Tittabawassee River and has suffered severe and repetitive losses due to flooding; and

WHEREAS, the City of Midland supports the removal of residential structures from the floodway as a means of protecting life and property; and

WHEREAS the owner of 402 Towsley Street wishes to sell the property to the City of Midland; and

WHEREAS, the City wishes to acquire the property at 402 Towsley Street and demolish all existing structures thereon; now therefore

RESOLVED, that the City Council of the City of Midland herewith approves the purchase of 402 Towsley Street for the price of \$55,000.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

PURCHASE AGREEMENT
402 Towsley Street Midland, Michigan
Parcel Number: 14-20-10-208

That JANE RALPH, of 207 S. Granger Street, Saginaw, Michigan 48602 (the "Seller") and the CITY OF MIDLAND, a Michigan municipal corporation, of 333 W. Ellsworth Street, Midland, Michigan 48640 (the "Buyer") enter into this agreement for the purchase and transfer of the property located in Midland County, Michigan 48640 and legally described as:

Lot Twelve (12), AND the South Westerly ½ of Vacated Tittabawassee Street, of the Assessor's Plat of the Fourth Ward, in the City of Midland, according to the recorded plat thereof.

Commonly known as 402 Towsley, Midland, Michigan
Parcel No.: 14-20-10-208

The parties agree on the following conditions:

1. *Purchase price.* The purchase price for the premises shall be Fifty Five Thousand and 00/100 Dollars (\$55,000.00) payable by check at the closing.
2. *Conveyance.* At the closing, the Seller agrees to convey good and marketable title to the premises to the Buyer by a warranty deed free of any liens, taxes or special assessments (see paragraph 4). Seller agrees that all vehicles and personal property shall be removed from the property prior to the closing. Seller further agrees that any vehicles and/or personal property remaining on the property at the time of the closing shall become the sole possession of the Buyer.
3. *Title Evidence and Objections.* As evidence of marketable title, **without** expense to Seller, an OWNERS POLICY of title insurance in the amount of the sales price, including a policy commitment, shall be obtained prior to closing. If closing is delayed by reasons of: (1) delays in title work, or (2) by title defects which can be readily corrected, THEN an extension of thirty (30) days shall be allowed for closing unless otherwise agreed in writing between Buyer and Seller.
4. *Taxes and assessments.* The Seller shall pay prorated outstanding taxes and special assessments that are assessed on the premises on or before the effective date of closing. The Seller is responsible for any liens on the property that have been attached prior to closing. The Buyer shall pay all special assessments that arise after the effective date of this agreement.
5. *Property Inspection.* Buyer hereby waives all inspections, relies solely upon the Buyer's examination of the property and releases Seller and their agents from any and all liability relating to any defect or deficiency affecting the property.
6. *Deposit.* Buyer shall deposit Five Hundred and 00/100 Dollars (\$500.00) in the form of a check showing good faith. This money will be applied to the sales price. If the conditions/contingencies in this agreement cannot be met, Seller agrees to refund the deposit. Buyer shall have access upon reasonable request.
7. *Default.* If Buyer's default, Seller may enforce this agreement or may cancel the agreement, keep the deposit, and pursue legal remedies.
8. *Closing.* The closing shall be held on or before March 14, 2014. The closing shall be held at a time and a place that the parties agree on. The Buyer shall be responsible for preparing the documents for the closing. At the closing, the Seller shall deliver to the Buyer a warranty deed for the premises. The Buyer shall pay the real estate transfer taxes. The Buyer shall pay the recording fees and prepare and file all recording and transfer affidavits. Each party shall sign a closing statement memorializing the

transaction. Any other costs of closing shall be the obligation of the Buyer.

9. *Real estate brokers.* The parties represent to one another that no real estate brokers are involved in this transaction. Each party indemnifies the other against the claims of any brokers and salespeople who allege that they represented a party or are entitled to a commission or fee as a result of the transaction.
10. *Possession.* Shall be at the time and date of closing.
11. *Notices.* All notices required by this agreement shall be sent to the other party in writing. The notices shall be delivered either personally or by first-class mail.
12. *Successors and assigns.* This agreement shall bind and benefit the parties and their successors, heirs, assigns, executors, administrators, and personal representatives.
13. *Time is the essence.* Time is the essence in the performance of this agreement.
14. *Amendment.* This agreement may not be amended except in writing and signed by all parties.
15. *Entire agreement.* This agreement contains all the representations by each party to the other and expresses the entire understanding between the parties with respect to the contemplated transaction. All prior communications concerning the subject matter are merged in or replaced by this agreement.
16. *Contingency.* This agreement is contingent upon the availability of funding and further contingent upon Midland City Council approval.
17. This purchase agreement is valid until May 1, 2014 unless otherwise extended in writing and signed by all parties.

This is a legal document and the parties hereto acknowledge that before signing they have been given the opportunity to seek all advisors deemed necessary for a full and complete understanding of the obligations contained herein. It is understood that this agreement is the total understanding between the parties and that there are no oral agreements or other writing relating to this transaction in existence at the time of signing.


Seller's signature and acknowledgment of the above terms and conditions and of receipt of a copy of this agreement.



Jane Ralph

Buyer's signature and acknowledgment of the above terms and conditions and of receipt of a copy of this agreement.

CITY OF MIDLAND

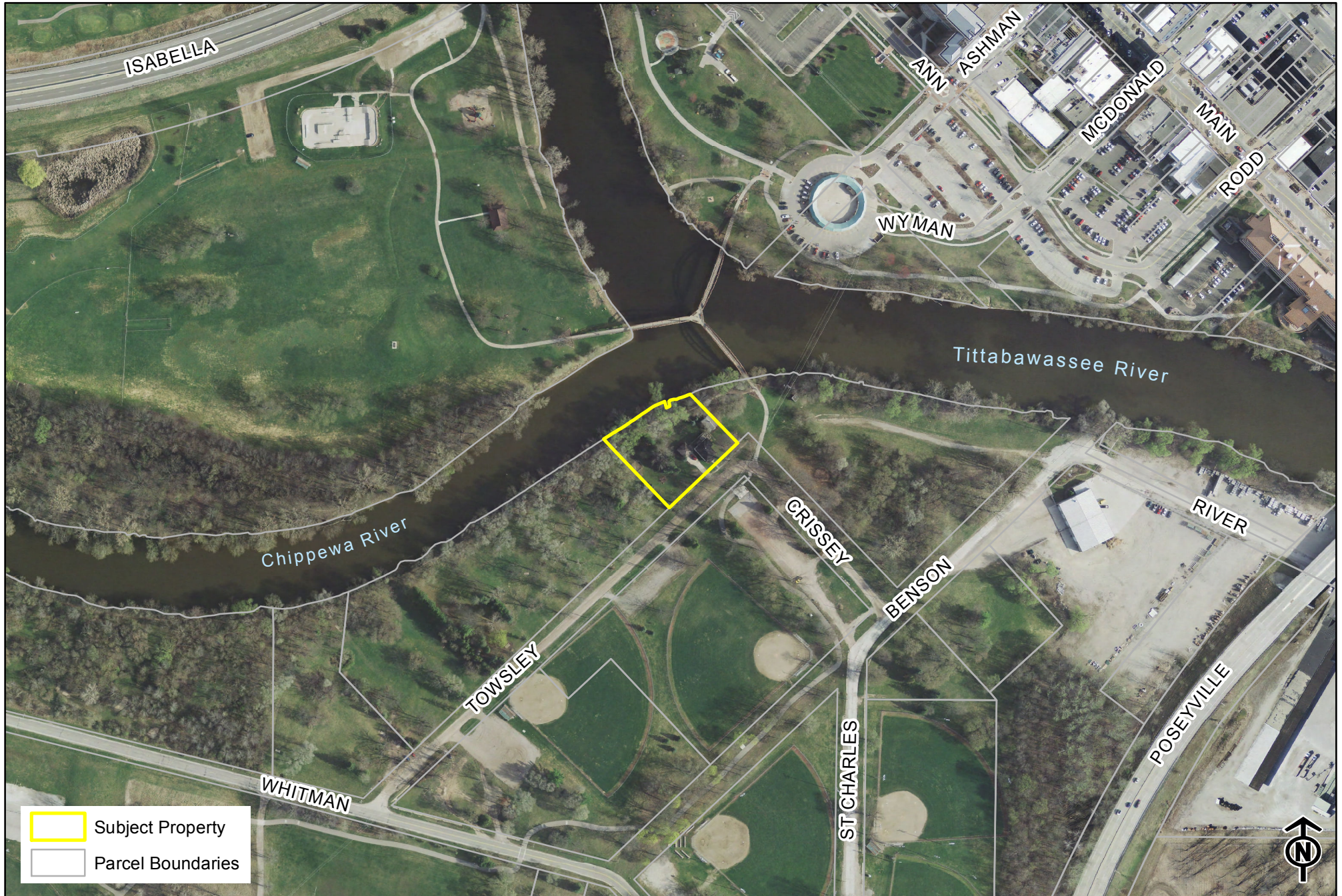


By: C. Bradley Kaye, AICP, CPM
Its: Director of Planning and Community Development

Prepared by:
James O. Branson III (P42235)
City Attorney
City of Midland
333 W. Ellsworth Street
Midland, Michigan 48640

402 Towsley Street

> Property Purchase



Attached documents for item * Change Order from Three Rivers Corporation for interior improvements at the Grace A. Dow Memorial Library. BARNARD

**SUMMARY REPORT TO THE CITY MANAGER
for City Council meeting of February 24, 2014**

SUBJECT: Approve a change order from Three Rivers Corporation for interior improvements at the library that includes additional electrical work in the lobby and modifying an existing restroom.

INITIATED BY: Melissa Barnard, Library Director

RESOLUTION SUMMARY: This resolution approves a change order from Three Rivers Corporation for interior improvements that includes additional electrical work and modifying an existing restroom at the Grace A. Dow Memorial Library in an amount not to exceed \$38,554 and authorizes the City Manager to approve change orders not to exceed an aggregate amount of \$5,000.

ITEMS ATTACHED:

1. Letter of Transmittal
2. Resolution

CITY COUNCIL ACTION:

3/5 vote required to approve resolution



Melissa Barnard
Library Director



Grace A. Dow Memorial Library • 1710 West Saint Andrews Road • Midland, MI 48640-2698
989.837.3430 • 989.835.3468 Fax • www.midland-mi.org/gracedowlibrary

February 19, 2014

TO: Jon Lynch, City Manager

SUBJECT: Change Order for Additional Work

At a regular meeting of City Council on Monday, September 9, 2013, Council authorized the Mayor and City Clerk to execute an agreement with Three Rivers Corporation for interior improvements at the Grace A. Dow Memorial Library in an amount not to exceed \$982,200 and authorized the City Manager to approve change orders not to exceed \$20,000 in total.

A change order for interior improvements at the library has been submitted for work not included in the original proposal. Additional electrical work is required in the lobby for the patron self-check stations. The scope of this project did include modifying an existing restroom on the first floor to provide a family restroom for library patrons but plans were delayed pending review of the status of the budget at this stage. It has been determined that funding is available to proceed with the restroom modifications. The cost of this change order is \$38,554.

Wigen, Tincknell, Meyer & Associates, the firm providing architectural services for the project, has reviewed and supports the proposal submitted by Three Rivers Corporation.

It is recommended that City Council approve this change order for \$38,554 and authorize the City Manager to approve change orders not to exceed an aggregate amount of \$5,000. Funds are available in the 2013-2014 Grace A. Dow Memorial Library budget.

Respectfully Submitted

Melissa Barnard, Library Director

Michael L. Meyer, Purchasing Agent



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

BY COUNCILMAN

WHEREAS, at a regular City Council meeting on September 9, 2013, Council authorized execution of an agreement with Three Rivers Corporation for interior improvements at the Grace A. Dow Memorial Library; and

WHEREAS, a change order for \$38,554 that includes additional electrical work and modifying an existing restroom at the Grace A. Dow Memorial Library has been submitted by Three Rivers Corporation; and

WHEREAS, funds are available in the 2013-2014 Grace A. Dow Memorial Library budget; now therefore

RESOLVED, that the City Council hereby approves adding the change order to the contractor's agreement that includes additional electrical work and modifications to an existing restroom at the Grace A. Dow Memorial Library by Three Rivers Corporation in an amount not to exceed \$38,554; and

RESOLVED FURTHER, that the City Manager has the authority to approve change orders in an aggregate amount not to exceed \$5,000.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all of the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

Attached documents for item * 2014 Ashman and Washington Street Reconstruction Project
Management and Construction Engineering Services. MCMANUS

SUMMARY REPORT TO THE CITY MANAGER
for Council Meeting of February 24, 2014

SUBJECT: 2014 Ashman & Washington Street Reconstruction Project
Management and Construction Engineering Services

INITIATED BY: City of Midland Engineering Department

RESOLUTION SUMMARY: This resolution authorizes the City Manager to approve a purchase order to Survey Solutions, Inc. from Standish, MI.

ITEMS ATTACHED: 1. Cover Letter
2. Resolution

CITY COUNCIL ACTION: 3/5 vote required to approve resolution

SUBMITTED BY: Brian McManus, City Engineer */BPM*



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.335.2717 Fax • www.midland-mi.org

February 18, 2014

Jon Lynch, City Manager
City of Midland, Michigan

Dear Mr. Lynch:


We have determined a need for assistance for project management and construction engineering services for the 2014 Ashman & Washington Street Reconstruction project. This project consists of the reconstruction of Ashman Street from Cambridge to Swede and Washington Street from Ashman to Patrick. The project was bid through MDOT and requires strict adherence to MDOT procedures for construction practices and record keeping. Funding for the project management and construction engineering for this project is provided by the Major Street Fund. Sufficient funding exists to cover the cost for this work.

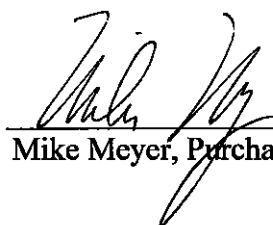
Proposals were received on February 4, 2014 for qualifications and hourly rates from engineering firms to perform the requested work. The bid proposals were analyzed based on minimum required MDOT qualifications, minimum of 5 years of related MDOT project experience, minimum of 3 years of experience with current employer and hourly rates. The firms submitting proposals are listed below:

D&M Site (Carrolton)	\$61,085.00
Survey Solutions, Inc. (Standish)	\$72,065.00
Fleis & Vandenbrink Engineering, Inc. (Midland)	\$74,950.00
Rowe Professional Services, Inc. (Mt. Pleasant)	\$87,075.00
Wade Trim, Associates (Bay City)	\$90,725.00
OHM Advisors, Inc. (Mt. Pleasant)	\$94,225.00
Stantec Consulting Michigan, Inc. (Ann Arbor)	\$101,705.00

D&M Site did not meet minimum bid requirements. It is our recommendation that the proposal submitted by Survey Solutions, Inc. of Standish, Michigan in the amount \$72,065.00 be accepted in the best interest of the City of Midland.

Respectfully submitted,


Brian P. McManus, City Engineer


Mike Meyer, Purchasing Agent



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

BY COUNCILMAN

WHEREAS, the Engineering Department has determined a need for project management and construction engineering services on the 2014 Ashman & Washington Street Reconstruction project; and

WHEREAS, proposals were received from interested engineering firms in accordance with the City's purchasing policy; and

WHEREAS, funding for said project is provided by the Major Street Fund; now therefore

RESOLVED, that the proposal received from Survey Solutions, Inc. of Standish, Michigan, in the indicated amount of \$72,065.00, is hereby accepted and the City Manager is authorized to approve a purchase order for said amounts and services; and

RESOLVED FURTHER, that the City Manager has the authority to approve any change orders modifying or altering this contract in an aggregate amount up to \$10,000.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

Attached documents for item * 2014 Wallen Street Reconstruction and Water Main; Contract No. 14. MCMANUS

SUMMARY REPORT TO THE CITY MANAGER

for Council Meeting of February 24, 2014

SUBJECT: 2014 WALLEN STREET RECONSTRUCTION AND WATER MAIN;
CONTRACT NO. 14

INITIATED BY: City of Midland Engineering Department

RESOLUTION SUMMARY: This resolution authorizes the Mayor and City Clerk to execute a contract with Sova Excavating & Trucking, Inc. in the amount of \$299,743.00 for the reconstruction, resurfacing and water main replacement on Wallen Street from Lancaster Street to Kentwood Drive.

ITEMS ATTACHED:

1. Cover Letter
2. Resolution
3. Location Map

CITY COUNCIL ACTION: 3/5 vote required to approve resolution

SUBMITTED BY: Brian P. McManus, City Engineer *BPM*



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

February 19, 2014

Jon Lynch, City Manager
City of Midland, Michigan

Dear Mr. Lynch:

On Tuesday, February 18, 2014 at 2:00 p.m., sealed proposals were publicly opened and read by the Purchasing Agent for the "2014 Wallen Street Reconstruction and Water Main; Contract No. 14".

There were 8 individuals attending the opening representing vendors, contractors and the City. City staff members present were Mike Meyer and Dave Foote.

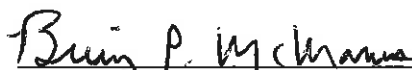
Bids were received as follows:

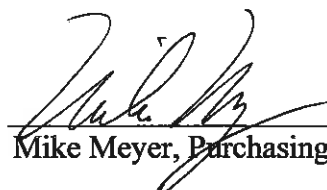
Sova Excavating & Trucking	Midland	\$ 299,743.00
Sterling Excavation	West Branch	307,928.00
*Engineers Estimate		310,000.00
Cooper Excavating	Vassar	318,076.53
Pat's Gradall Service	Midland	318,406.00
McGuirk Sand-Gravel	Mt. Pleasant	327,880.00
Tri-City Groundbreakers	Midland	334,921.00
Geiersbach Construction	Freeland	346,780.00
Malley Construction	Mt. Pleasant	358,508.00
Robbin Harsh Excavating	Clare	383,790.00
Crawford Contracting	Mt. Pleasant	390,837.00
Joe Raica Excavating	Fowlerville	421,217.27

Funding for this project is provided by the Local Street Fund and Water Fund. This contract is for the reconstruction, resurfacing and water main replacement on Wallen Street from Lancaster Street to Kentwood Drive. This street was recommended by the Engineering Department, Utilities Department and the Department of Public Services and approved by City Council during the annual Construction Project Priorities process.

It is our recommendation that the low bid of \$299,743.00 submitted by Sova Excavating & Trucking, Inc. of Midland, Michigan be accepted in the best interest of the City of Midland.

Respectfully submitted,


Brian P. McManus, City Engineer


Mike Meyer, Purchasing Agent



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

BY COUNCILMAN

WHEREAS, sealed proposals have been advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for the reconstruction, resurfacing and water main replacement on Wallen Street from Lancaster Street to Kentwood Drive; and

WHEREAS, funding for this project is provided by the Local Street Fund and Water Fund; now therefore

RESOLVED, that the low sealed proposal submitted by Sova Excavating & Trucking, Inc. of Midland, Michigan, for the "2014 Wallen Street Reconstruction and Water Main, Contract No. 14", in the indicated amount of \$299,743.00, based upon City estimated quantities is hereby accepted and the Mayor and the City Clerk are authorized to execute a contract therefore in accord with the proposal and the City's specifications; and

RESOLVED FURTHER, that the City Manager has the authority to approve change orders modifying or altering this contract in an aggregate amount not to exceed \$20,000.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk



WALLEN STREET
LANCASTER TO KENTWOOD

Attached documents for item * Larkin Water Tower Painting. BUSH

SUMMARY REPORT TO MANAGER
For City Council Meeting of February 24, 2014

SUBJECT: WATER FUND - LARKIN WATER TOWER PAINTING, BID NO. 3587

INITIATED BY: Noel D. Bush, Utilities Director

RESOLUTION SUMMARY: This resolution authorizes a contract in an amount not to exceed \$55,700.00 to Seven Brothers Painting of Shelby Township, Michigan, for services related to the preparation and painting of the dry interior and exterior surfaces of the Larkin elevated water tower, and further authorizes the City Manager to approve changes modifying the purchase order in an aggregate amount not to exceed \$5,000.00.

ITEMS ATTACHED:

1. Letter of transmittal
2. Resolution

COUNCIL ACTION:

1. 3/5 vote required to approve resolution.

NDB:jjjs



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

February 19, 2014

Jon Lynch, City Manager
Midland, Michigan

Re: WATER FUND - LARKIN WATER TOWER PAINTING, BID NO. 3587

Dear Mr. Lynch:

The City of Midland owns and operates two elevated water storage tanks, 1) Jefferson (500,000 Gal.), and 2) Plymouth (1MM Gal.). As part of the City's retail water contract with Larkin Township, the City also operates and maintains Larkin's 250,000 gallon elevated storage tank.

In May 2012, the City's engineering consultant, Dixon Engineering, Inc. of Lake Odessa, Michigan, inspected the Larkin Township tower and made recommendations that included repairing of chipped paint at the exterior base of the tower, the installation of a painters rigging rail, and re-coating the exterior with a polyurethane coating. The maintenance was recommended to be completed within three years.

On January 28, 2014 sealed bids were received from contractors and opened for Bid No. 3587, Larkin Water Tower Painting. Bids received were as follows:

Bidder	Bid Amount
Seven Brothers Painting - Shelby Township, MI	\$ 55,700.00
Fedewa Inc. - Nashville, MI	57,300.00
Industrial Painting Contractors - Taylor, MI	67,200.00
L.C. United Painting - Sterling Heights, MI	71,000.00
TMI Coatings - Eagan, MN	89,900.00

Dixon Engineering reviewed the bids submitted for the project and recommends award to the low bidder, Seven Brothers Painting, in the amount of \$55,700.00. Dixon Engineering has worked with this contractor on other projects and has provided the staff with a favorable evaluation of their past performance. City Staff concurs with the recommendation made by Dixon.

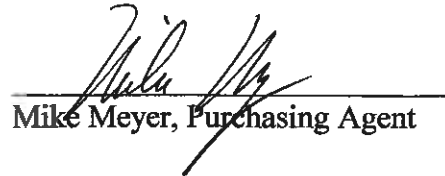
Funds have been made available for this purpose in account 591.8284.93.053 Elevated Tank Maintenance. Therefore, staff requests that the low bid proposal of \$55,700.00 be accepted and a

purchase order in that amount be authorized to Seven Brothers Painting of Shelby Township, Michigan. A 3/5 vote is required to approve.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Noel Bush', written over a horizontal line.

Noel Bush, Utilities Director

A handwritten signature in black ink, appearing to read 'Mike Meyer', written over a horizontal line.

Mike Meyer, Purchasing Agent



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

BY COUNCILMAN

WHEREAS, in May 2012, the City's engineering consultant, Dixon Engineering, Inc. of Lake Odessa, Michigan, inspected the Larkin Township tower and made recommendations that included repairing of chipped paint at the exterior base of the tower, the installation of a painters rigging rail, and re-coating the exterior with a polyurethane coating; and

WHEREAS, on January 28, 2014 sealed bids were received from contractors and opened for Bid No. 3587, Larkin Water Tower Painting, in accord with Section 2-18 of the Midland Code of Ordinances; and

WHEREAS, Dixon Engineering reviewed the bids submitted for the project and recommends award to the low bidder, Seven Brothers Painting of Shelby Township, Michigan in the amount of \$55,700.00; and

WHEREAS, funds have been made available for this purpose in account 591.8284.93.053 Elevated Tank Maintenance; now therefore

RESOLVED, that the low bid submitted by Seven Brothers Painting of Shelby Township, Michigan is hereby accepted and a purchase order in an amount not to exceed \$55,700.00 is authorized; and

RESOLVED FURTHER, that the City Manager is authorized to approve change orders modifying or altering this contract in an aggregate amount not to exceed \$5,000.00.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeavote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

Attached documents for item * Diesel Fuel Purchase of February 14 (4/5 vote required).
MURPHY

SUMMARY REPORT TO MANAGER

For City Council Meeting of February 24, 2014

SUBJECT: Approve Fuel Purchase from February 14, 2014

RESOLUTION SUMMARY: This resolution waives the requirement for sealed proposals and approves the purchase of 13,711 gallons of Winter Blend diesel fuel from Hirschman Oil for \$47,796.55 that was executed by the Purchasing Agent on February 14, 2014.

ITEMS ATTACHED:

1. Transmittal letter to City Manager
2. Resolution

CITY COUNCIL ACTION:

1. 4/5 vote required to approve resolution


Karen Murphy
Director of Public Services

MMR



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

February 19, 2014

Jon Lynch
City Manager
Midland, Michigan

RE: Approve fuel purchase made on February 14, 2014

At their December 17, 2007 meeting, City Council adopted a resolution that allows the Purchasing Agent to purchase full tankers of unleaded gasoline and diesel fuel exceeding \$20,000, and seek approval for the purchase at the next available Council meeting. Fuel is ordered on an as needed basis to maintain an adequate supply to meet the demand of the city fleet as well as to keep a reserve on hand to cover any unanticipated increase in usage. This process was reviewed by City Council on December 21, 2009 and is still deemed to provide significant cost savings to the City.

Fuel is purchased through a competitive bid process whereby the Purchasing Agent faxes out a request for a price per gallon for unleaded and/or diesel fuel to a list of fuel suppliers. Interested suppliers fax back their prices the following morning. Due to the volatility of the fuel market, pricing is only valid for the remainder of that day. The fuel purchase is awarded to the lowest price supplier, and the fuel delivery is scheduled for that same day.

It should be noted that approval of fuel purchases will require a 4/5 vote due to the need to waive the requirement for sealed proposals as a result of the above-described bidding process.

Bids were received using this process on February 14, 2014 for 13,711 gallons of diesel fuel. Bids were received as follows:


Hirschman Oil, Reese, MI	Winter Blend Diesel	\$3.4860/gallon
Foster Oil, Richmond, MI	Winter Blend Diesel	\$3.6421/gallon

The low bid was received from Hirschman Oil of Reese, Michigan, with a price of \$3.486 per gallon for Winter Blend diesel fuel. The unit price includes the delivery charge, and the total purchase price was \$47,796.55 for 13,711 gallons of fuel delivered.

We are requesting that Council waive the requirements for sealed bids, and approve the purchase of 13,711 gallons of Winter Blend diesel fuel from Hirschman Oil for \$47,796.55 that was executed by the Purchasing Agent on February 14, 2014.

Respectfully submitted,


Karen Murphy
Director of Public Services
MMR


Mike Meyer
Purchasing Agent



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

BY COUNCILMAN

WHEREAS, City Council adopted a resolution on December 17, 2007 that allows the Purchasing Agent to purchase full tankers of unleaded gasoline and diesel fuel exceeding \$20,000, and seek approval for the purchase at the next City Council meeting; and

WHEREAS, City Council reviewed the process on December 21, 2009 and decided to continue as it still provides a significant cost savings to the City; and

WHEREAS, the volatility of the fuel market does not allow for staff to follow the usual sealed bid process for purchases exceeding \$20,000; and

WHEREAS, staff instead uses a competitive bid process whereby fuel vendors fax in prices that are valid for a particular day with the bid awarded to the lowest priced vendor; now therefore

RESOLVED, that the requirements for sealed proposals for the purchase of fuel are waived due to the volatility of the fuel market; and

RESOLVED FURTHER, that the purchase of 13,711 gallons of Winter Blend diesel fuel from Hirschman Oil of Reese, Michigan for \$47,796.55 executed by the Purchasing Agent on February 14, 2014, is hereby approved.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

Attached documents for item * Change Order to CivicPlus for website redesign and hosting services. UNDERHILL

**SUMMARY REPORT TO CITY MANAGER
FOR THE CITY COUNCIL MEETING OF FEBRUARY 24, 2014**

SUBJECT: Website redesign change order authorization.

INITIATED BY: Tadd H. Underhill
Information Services Manager

RESOLUTION SUMMARY: This resolution authorizes the City Manager to approve change orders not to exceed \$5,000.00 to CivicPlus for website redesign and hosting services originally approved by City Council on November 25, 2013.

ITEMS ATTACHED:

1. Cover Letter to City Manager.
2. Resolution authorizing the City Manager to approve change orders not to exceed \$5,000.000 to CivicPlus for website redesign and hosting services.

CITY COUNCIL ACTION: Approval requires a 3/5 vote



Tadd H. Underhill
Information Services Manager



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640 ♦ 989.837.3300 ♦ 989.837.2717 Fax ♦ www.midland-mi.org

February 20, 2014

Jon Lynch, City Manager
City of Midland, Michigan

Dear Mr. Lynch:

On November 25, 2013, City Council approved a contract with CivicPlus in the amount of \$41,424.00 for website redesign and hosting services. During the design phase of the project, City staff became aware of additional features and functionality that would improve mobile user access to the website which will require additional expenditures.

Since no change order authorizations were requested as part of the original approval by City Council, I am now asking for change order authorization in the amount of \$5,000.00. The original approved budget for the website redesign project is \$50,000 so funding is available.

I therefore recommend that Council approve the resolution that authorizes the City Manager to approve change orders not to exceed \$5,000.00 to CivicPlus for website redesign and hosting services. Sufficient funding exists in the Information Services Operations Fund, and its 2013-2014 budget includes sufficient appropriations to pay the additional 2013-2014 expenditures.

Respectfully submitted,

Tadd H. Underhill
Information Services Manager

RECOMMENDED BY:

Mike Meyer
Purchasing Agent



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640 ♦ 989.837.3300 ♦ 989.837.2717 Fax ♦ www.midland-mi.org

BY COUNCILMAN

WHEREAS, City Council approved the contract with CivicPlus for website redesign and hosting services on November 25, 2013 in the amount of \$41,424.00; and

WHEREAS, the original approved budget for the website development project was \$50,000.00; and

WHEREAS, the scope of the project has expanded to add additional features requiring additional expenditures; and

WHEREAS, sufficient funding exists in the Information Services Operations Fund, and its 2013-14 budget includes sufficient appropriations to pay the additional 2013-14 expenditures; now therefore

RESOLVED, that the City Council hereby authorizes the City Manager to approve change orders not to exceed \$5,000.00 to CivicPlus for website redesign and hosting services.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

Attached documents for item * Amendment to the Washington Woods Fund budget to recognize additional revenue in Community Development Block Grant funds (3/10). BALIS

**SUMMARY REPORT TO CITY MANAGER
for City Council Meeting of 2-24-14**

SUBJECT: Washington Woods 2013-2014 budget amendment to receive CDBG funds for West carpet replacement.

INITIATED BY: Candace Balis, Manager of Senior Housing, Washington Woods

SUMMARY: This resolution will set a public hearing for March 10, 2014, at 7:00 p.m. in the Council Chambers on a proposal to amend the Washington Woods 2013-2014 Fund budget to recognize \$90,000 of additional revenue in Community Development Block Grant funds to be used to replace carpeting on the West side of Washington Woods.

ITEMS ATTACHED:

1. Letter to City Manager
2. Resolution

CITY COUNCIL ACTION:

3/5 vote required to approve resolution.

Candace Balis
Manager of Senior Housing, Washington Woods

2-19-14



Washington Woods • 821 Cambridge • Midland, Michigan 48642-4677 • 989.837.3494 • 989.837.5748-Fax

February 19, 2014

Mr. Jon Lynch
City Manager
City of Midland
Midland, MI 48640

Dear Mr. Lynch:

Washington Woods was fortunate to have \$90,000 in Community Development Block Grant (CDBG) funds allocated for carpet replacement on the West side of our building.

In order for Washington Woods to utilize these funds, it is necessary to amend the 2013-2014 Washington Woods Fund Budget.

Attached is a resolution to establish a public hearing on March 10, 2014 to amend the Washington Woods 2013-2014 Fund Budget to recognize the increased revenue and expenses of \$90,000 to be used for carpet replacement at Washington Woods.

Respectfully submitted,

Candace Balis
Manager of Senior Housing, Washington Woods



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

BY COUNCILMAN

WHEREAS, Washington Woods was awarded \$90,000 in Community Development Block Grant (CDBG) funds from a fund balance carried over from prior years to replace carpet in the public areas on the West side; and

WHEREAS, it is necessary to amend the 2013-2014 Washington Woods budget to include these funds; now therefore

RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted at 7:00 p.m., Monday, March 10, 2014, in the Council Chambers of City Hall on the proposal to amend the Washington Woods 2013-2014 budget, and direct the City Clerk to give notice as provided in Section 5.11 of the Charter of the City of Midland.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

Attached documents for item * Review of a grant application to Michigan Natural Resources Trust Fund to support a riverfront renovation in upper Emerson Park (3/10). MURPHY

SUMMARY REPORT TO MANAGER

For City Council Meeting of February 24, 2014

SUBJECT: Set public hearing for review of Emerson riverfront grant application to the Michigan Natural Resources Trust Fund

INITIATED BY: Department of Public Services

RESOLUTION SUMMARY: This resolution sets a public hearing for March 10, 2014 at 7:00 p.m. in City Council Chambers to review a grant request to the Michigan Natural Resources Trust Fund for \$300,000 toward a project to renovate the riverfront along upper Emerson Park.

ITEMS ATTACHED:

1. Letter of Transmittal
2. Project Plans
3. Resolution

CITY COUNCIL ACTION:

1. 3/5 vote required to approve resolution.


Karen Murphy
Director of Public Services



Parks & Recreation • 4811 N. Saginaw Road • Midland, Michigan 48640-2321 • 989.837.6930 • 989.835.5651-Fax

February 18, 2014

Jon Lynch
City Manager
Midland, MI

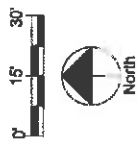
RE: Set public hearing for review of Emerson riverfront grant application to the Michigan Natural Resources Trust Fund

In the spring of 2012, the parks supervisory staff began developing a plan to repurpose the 1938 water intake pump house that is located to the south of Emerson Park, adjacent to the Historical Society campus. Landscape architect Pam Blough was hired to review the site and propose a riverfront redevelopment that would both encompass a use of the old pump house, and open up the view to the river. A conceptual plan has been developed and staff has been seeking grant funds to support the project, with the main grant being a request for \$300,000 from the Michigan Natural Resources Trust Fund. This grant application requires a public hearing be held locally to allow residents and neighbors to voice opinions on the proposed project.

The resolution before Council tonight sets a public hearing for March 10, 2014 at 7:00 p.m. in the Council Chambers to receive public input on the project. I will share the conceptual plan and additional details on the project at that time.

Respectfully Submitted,

Karen Murphy
Director of Public Services



EMERSON PUMP STATION MASTER PLAN

EMERSON PARK
 MIDLAND, MI

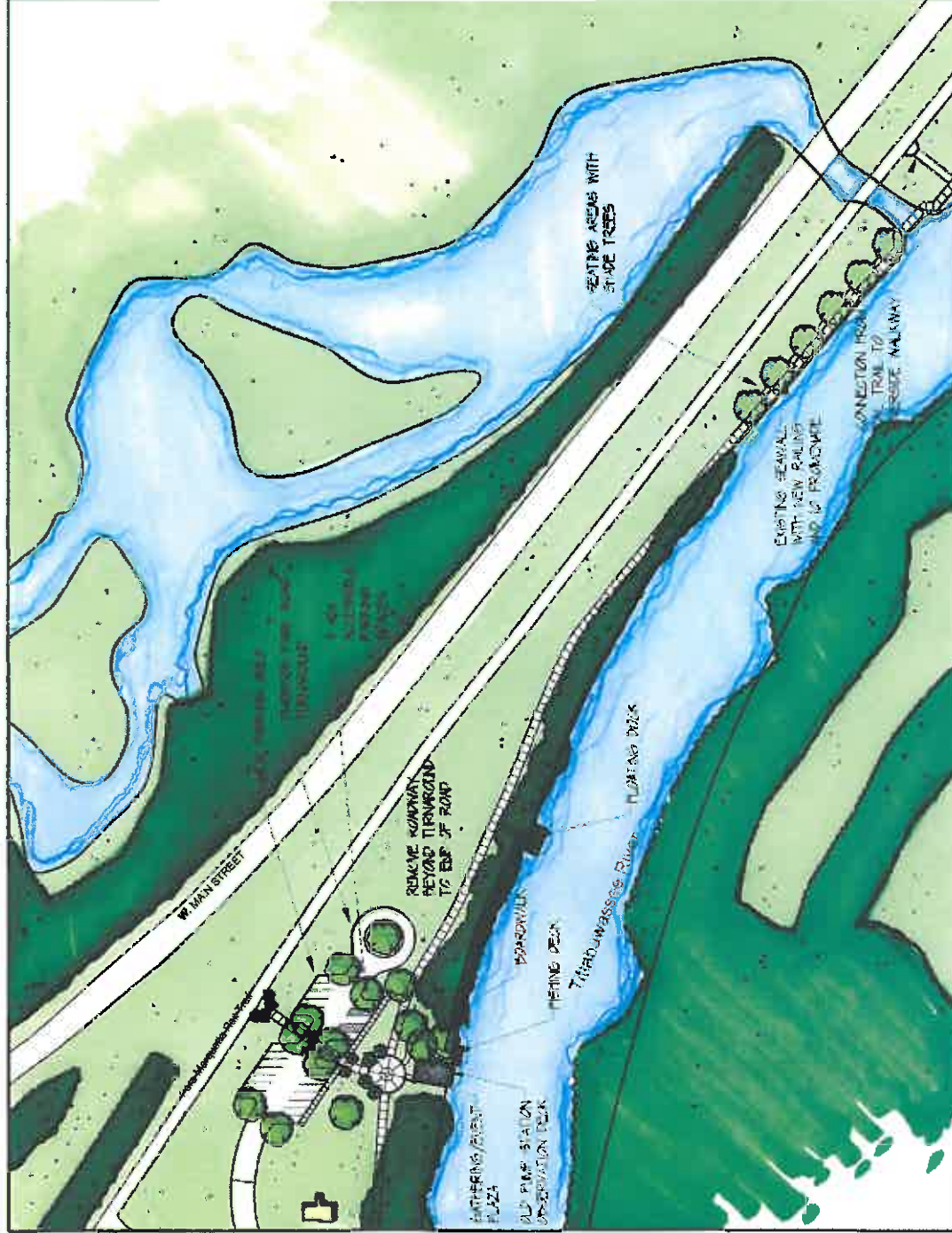
Detail Site Plan

FEBRUARY 26, 2013



EMERSON PUMP STATION MASTER PLAN

EMERSON PARK
 MIDLAND, MI



Site Plan



Parks & Recreation • 4811 N. Saginaw Road • Midland, Michigan 48640-2321 • 989.837.6930 • 989.835.5651-Fax

BY COUNCILMAN

RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted at 7:00 p.m., March 10, 2014 in the Council Chambers of City Hall on a grant application to the Michigan Natural Resources Trust Fund for \$300,000 to support a riverfront renovation project in upper Emerson Park.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk

T: Emerson MNRFT grant – set public hearing 2-24-14

Attached documents for item * Zoning Petition No. 589 - to amend the City of Midland zoning map by rezoning the property located at 6200 Eastman Avenue from Office Service zoning to Regional Commercial zoning (3/24). KAYE

**SUMMARY REPORT TO CITY MANAGER
for City Council Meeting of 2-24-14**

SUBJECT: Zoning Petition No. 589.

PETITIONER: Tim Hortons – Mark Kellenberger

PLANNING COMMISSION PUBLIC HEARING: February 11, 2014.

PLANNING COMMISSION ACTION: Recommendation of denial.

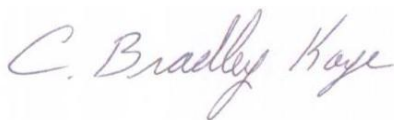
SUMMARY: ACTION TO SET A PUBLIC HEARING TO AMEND THE CITY OF MIDLAND ZONING MAP BY REZONING THE PROPERTY LOCATED AT 6200 EASTMAN AVENUE FROM OFFICE SERVICE ZONING TO REGIONAL COMMERCIAL ZONING.

ITEMS ATTACHED:

1. Letter to City Manager setting forth Planning Commission action.
2. Resolution for City Council Action.
3. Staff Report to Planning Commission dated January 29, 2014.
4. Planning Commission minutes of February 11, 2014. (public hearing)
5. Communication(s).
6. Map showing location of property.

CITY COUNCIL ACTION:

1. Public hearing is required. Date: March 24, 2014.
2. Advertising date: March 8, 2014.
Public Hearing notification to area residents mail date: March 7, 2014.
3. 3/5 vote required to set a public hearing.



C. Bradley Kaye, AICP, CFM
Director of Planning & Community Development

CBK

2-19-14



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.midland-mi.org

February 19, 2014

Jon Lynch, City Manager
City Hall - 333 West Ellsworth Street
Midland, Michigan

Dear Mr. Lynch:

At its meeting on Tuesday, February 11, 2014, the Planning Commission considered Zoning Petition No. 589, the request of Mark Kellenberger on behalf of Tim Hortons, to rezone property located at 6200 Eastman Avenue from Office Service zoning to Regional Commercial zoning.

Motion by Senesac and seconded by Young to recommend to City Council the approval of Zoning Petition No. 589 initiated by Mark Kellenberger, on behalf of Tim Hortons, to zone property at 6200 Eastman Avenue from Office Service zoning to Regional Commercial zoning.

Vote on the motion:

YEAS: None
NAYS: Hanna, McLaughlin, Senesac, Stewart and Young
ABSENT: Heying, Mead, Pnacek and Tanzini

The motion was denied 0 to 5.

The City Council is therefore being requested to set a public hearing to consider Zoning Petition No. 589 for March 24, 2014 at 7:00 p.m.

Respectfully,

C. Bradley Kaye, AICP, CFM
Director of Planning & Community Development

CBK/djm

LETTER OF TRANSMITTAL – ZP #589 Set PH



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.midland-mi.org

BY COUNCILMAN

WHEREAS, a public hearing was held by the Planning Commission on Tuesday, February 11, 2014 for property located at 6200 Eastman Avenue for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland from Office Service zoning to Regional Commercial zoning; now therefore

RESOLVED, that notice is hereby given that a public hearing will be held by the City Council on Monday, March 24, 2014, at 7:00 p.m. in the Council Chambers, City Hall, for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland, as set forth in the following proposed Ordinance, which is hereby introduced and given first reading; and

RESOLVED FURTHER, that the City Clerk is hereby directed to notify property owners within three hundred (300) feet of the area proposed to be rezoned by transmitting notice on or before March 7, 2014 and to publish said notice on March 8, 2014.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 1585, BEING AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION OF TRADES AND INDUSTRIES AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES, TO REGULATE AND LIMIT THE HEIGHT AND BULK OF BUILDINGS HEREFTER ERECTED OR ALTERED, TO REGULATE AND DETERMINE THE AREA OF YARDS, COURTS, AND OTHER OPEN SPACES SURROUNDING BUILDINGS, TO REGULATE AND LIMIT THE DENSITY OF POPULATION, AND FOR SAID PURPOSES, TO DIVIDE THE CITY INTO DISTRICTS AND PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS BY AMENDING THE ZONING MAP TO PROVIDE A REGIONAL COMMERCIAL ZONING DISTRICT WHERE AN OFFICE SERVICE ZONING DISTRICT PRESENTLY EXISTS.

The City of Midland Ordains:

Section 1. That the Zoning Map of Ordinance No. 1585, being the Zoning Ordinance of the City of Midland, is hereby amended as follows:

LOT 31, MARIET SUBDIVISION, AS RECORDED IN LIBER J OF PLATS, PAGES 23, 24 AND 25, MIDLAND COUNTY RECORDS.

Be, and the same is hereby changed to Regional Commercial

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. This Ordinance shall take effect upon publication.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a _____ yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 24, 2014.

Selina Tisdale, City Clerk



ZP #589

Date: January 29, 2014

STAFF REPORT TO THE PLANNING COMMISSION

SUBJECT: Rezoning Petition

APPLICANT: Tim Hortons – Mark Kellenberger

OWNER: Eastman Ten Development LLC

LOCATION: 6200 Eastman Road

PROPOSAL: Rezone land from OS Office Service to RC Regional Commercial

AREA: 0.63 Acres (approximately)

ADJACENT ZONING: North: RC Regional Commercial
East: OS Office Service
West: OS Office Service
South: OS Office Service

ADJACENT DEVELOPMENT: North: Gas and Convenience Store
East: Vacant
West: Apartments
South: Vacant

REPORT

Zoning Petition No. 589, initiated by Mark Kellenberger of Tim Hortons, to rezone the subject parcel located at 6200 Eastman Road from OS Office Service to RC Regional Commercial.

BACKGROUND

According to file records and public hearing notes, at least four previous applicant initiated zoning petitions were submitted on the subject lands between 1969 and 1985. Each of those petitions was heavily opposed by neighboring property owners. A brief history of the subject parcel, including these zoning petitions, is presented below.

The area in which the subject lands are located was annexed to the City of Midland in 1953. At that time, Eastman Road was a two lane blacktop roadway without curbs. In late 1959, the road was reconstructed as US-10 Business Route in conjunction with the US-10 freeway.

According to early staff reports, City zoning was first applied to the subject lands in 1954. Zoning in the area at that time consisted of a mixture of Residence "A" District and Agricultural. The subject parcel was included in the Agricultural District. In 1960, all of the Agricultural lands in the annexation area, including the subject lands, were rezoned to Residence "A" (Ordinance No. 524).

In 1966, Ordinance No. 620 was passed by Midland City Council. That amendment placed the subject lands into an Office Service-2 zoning district. This amendment followed the 1964 adoption of Ordinance No. 586, that rezoned the corner of Eastman and Wackerly located immediately north of the subject parcel, to Business B-2 for gas station purposes.

In 1969, Zoning Petition #2 was submitted by Woodward Development Company. The zoning petition proposed that the subject lands, as well as others surrounding them, be rezoned to a Shopping Center District in order to permit the development of a commercial shopping center. That rezoning petition was not supported by the City Planning Commission but was approved by Council. Amending Ordinance No. 741 was adopted by City Council on December 1, 1969 but was challenged in Circuit Court by neighboring property owners. Circuit Court for the County of Midland overturned the City Council action in a decision dated December 7, 1970, stating that the rezoning was not in the public interest, the requirements of the enabling statute had not been met, and the proposed rezoning was not a proper exercise of police power. On February 24, 1972, the Circuit Court decision was upheld by the State of Michigan Court of Appeals following an appeal by the City of Midland. Based on this decision, the property remained in the Office-Service 2 district.

In 1972, following resolution of the court proceedings, the Woodward Development Company submitted their second zoning petition for the property. Zoning Petition #61 proposed that the land be rezoned to Business B-2, consistent with the abutting gas station property to the north. The petition was ultimately denied by both the Planning Commission and City Council on the basis that the petition did not agree with the Master Plan.

In 1985, a third zoning petition (#264) was received on the property, this time submitted by Attorney Richard Handlon on behalf of the then property owners, Eliot and Sydney Cohen. The petition requested that the property be rezoned Business B-1 to allow for the construction of a 120 unit motel. Following the public hearing process, the City of Midland Planning Commission recommended denial of the petition, based on staff concerns regarding adverse impacts on the adjoining residential properties and lack of consistency with the Land Use Plan. City Council subsequently denied the petition in September of 1985.

In January of 1995, Zoning Petition #388 was submitted by Jerome M.P. Kole on behalf of Bob Evans Farms. The petition requested that the zoning be changed to Business B-2 to accommodate a Bob Evans Restaurant. Following public hearing, the application was recommended for denial by the City Planning Commission. Stated reasons for the recommendation included that the petition was not in compliance with the Land Use Plan and in consideration of the impact on traffic congestion in the area. The application was subsequently withdrawn by the applicant before proceeding to City Council.

The most recent activity relative to the subject lands arose from City adoption of the current Zoning Ordinance in November of 2004. At that time, the previous Office Service-2 District was replaced by the still current Office Service District. No further changes or petitions have been submitted for this property since that time.

ASSESSMENT

In accordance with Section 30.03(D) of the Zoning Ordinance, the Planning Commission and City Council shall at a minimum, consider the following before taking action on any proposed zoning map amendment:

1. Is the proposed amendment consistent with the City's Master Plan?

Included in Chapter 5 of the City of Midland Master Plan are a series of general land use goals. While are goals are not applicable to this proposal, the petition is considered consistent with Goals 8 and 11, which read as follows:

Goal 8 states: "Accommodate small nodes of neighborhood commercial at major intersections where major residential development is taking place."

Goal 11 states: "Broaden restaurant and retail choices."

While fully consistent with the above goals, Goal 9 must also be considered in the context of reviewing this zoning petition.

Goal 9 states: "Utilize office uses as a transition between higher and lower intensity uses."

The subject lands are located between a gas station establishment to the north and vacant lands to the south and east. Office uses are an appropriate use of the site and would serve as a transitional use in this location. This suitability is reflected in the land use designations on the Future Land Use Map, where these lands are identified as Office Service.

The Office Service designation in the City of Midland Master Plan has been applied consistently throughout the parcel's history from annexation to current day. That Plan has taken into account the need and demand for commercial land use, including the appropriate distribution of such uses throughout the city. Development patterns along the Eastman Avenue corridor demonstrate that the Office-Service designation has been and remains reasonable for this area of the city.

The proposed amendment, based on a fair and reasoned balancing of all land use principles contained therein, is not considered to be consistent with the City of Midland Master Plan.

2. Will the proposed amendment be in accordance with the intent and purpose of the Zoning Ordinance?

No. In staff's opinion, the proposed rezoning would not promote the intent of the zoning code through reclassification of the parcel as stated (outlined below) in the City's zoning code.

Section 1.02 INTENT

It is the purpose of this Zoning Ordinance to promote the public health, safety, comfort, convenience, and general welfare of the inhabitants of Midland by encouraging the use of lands and natural resources in accordance with their character, adaptability and suitability for particular purposes; to enhance social and economic stability; to prevent excessive concentration of population; to reduce hazards due to flooding; to conserve and stabilize the value of property; to provide adequate open space for light and air; to

prevent fire and facilitate the fighting of fires; to allow for a variety of residential housing types and commercial and industrial land uses; to minimize congestion on the public streets and highways; to facilitate adequate and economical provision of transportation, sewerage and drainage, water supply and distribution, and educational and recreational facilities; to establish standards for physical development in accordance with the objectives and policies contained in the Master Plan (Comprehensive Development Plan); and to provide for the administration and enforcement of such standards.

3. Have conditions changed since the Zoning Ordinance was adopted that justifies the amendment?

No. Land development along the Eastman Avenue corridor has proceeded in accordance with the Master Plan and Future Land Use map. No other conditions have changed that were not considered at the time of zoning ordinance adoption.

4. Will the amendment merely grant special privileges?

Yes. The zoning amendment, if granted, will apply RC zoning to a parcel of land planned for Office Service purposes by the City of Midland Master Plan. Approval of this petition will grant privileges not envisioned by the Master Plan.

5. Will the amendment result in unlawful exclusionary zoning?

No. The rezoning would continue an adjacent pattern of zoning designation. This parcel would be one of many that would be zoned RC within the city.

6. Will the amendment set an inappropriate precedent?

Yes. Approval would establish a precedent of non-conformity to the established City of Midland Master plan without clear and compelling reason. The integrity of the Master Plan would be compromised by approval of this petition.

7. Is the proposed zoning consistent with the zoning classification of surrounding land?

The proposed zoning would be an extension of the existing zoning pattern north of the subject parcel but would be inconsistent with the zoning of lands south and east of the parcel.

8. Is the proposed zoning consistent with the future land use designation of the surrounding land in the City Master Plan?

No. The current Master Plan, adopted in 2007, supports this parcel as being appropriate for Office Service use. The RC zoning district proposed is the zoning district routinely used to implement the Commercial land use designation of the Master Plan, not the Office Service designation.

9. Could all requirements in the proposed zoning classification be complied with on the subject parcel?

Yes. The parcel will meet all RC zoning requirements. All future development and use of the site would also be capable of meeting the requirements of the RC district.

10. Is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question?

No. The zoning of this parcel for Regional Commercial purposes will not be consistent with the land use development trend along the Eastman Avenue corridor. Commercial zoning and use of the property would be consistent with the existing land uses to the north, but would be inconsistent with existing and planned land uses to the east, west and south.

ADDITIONAL STAFF COMMENTS:

The subject lands are located near the intersection of Eastman Avenue and Wackerly Street. This intersection is one of the more heavily travelled intersections within the city and is frequently impacted by heavy traffic volume. The addition of more vehicles in this location will be difficult to accommodate. Increasing potential traffic by way of intensified zoning, such as requested in this petition, is not advised. If approved, however, restaurant or drive-through restaurant uses could be expected to generate nearly ten times the amount of daily traffic volume as would the office type uses currently permitted.

Finally, the application raises concerns on the part of Planning Staff that, if approved, further zoning petitions could be filed to extend the RC zoning district down Eastman Avenue in a strip manner. The City of Midland Master Plan specifically designates the subject lands Office Service and plans for this nature of commercial use. Lands south of the subject property are also designated Office Service. Any petition to rezone further lands for RC purposes would be able to argue that it is similar in nature and location to this parcel, is guided by the same Master Plan policies, and therefore ought to be approved.

STAFF RECOMMENDATION

Upon careful review of the requested zoning change, staff recommends that the petition to rezone the subject lands from Office Service to Regional Commercial be not approved for the following reasons:

- The subject parcel is designated Office Service by the City of Midland Master Plan.
- The Regional Commercial zoning district is not consistent with the Office Service designation of the City of Midland Master Plan.
- The Regional Commercial zoning district is not consistent with the general purpose and intent of the City of Midland Master Plan
- The current Office Service zoning district is appropriate for the subject parcel and is consistent with the City of Midland Master Plan
- Higher intensity zoning and the resulting increase in vehicular traffic is not warranted in this area of the city and would be contrary to the general health, welfare and safety of the public.

PLANNING COMMISSION ACTION

Staff currently anticipates that the Planning Commission will hold a public hearing on this request during its regular meeting on February 11, 2014 and will formulate a recommendation to City Council thereafter. If recommended to City Council the same evening, we anticipate that on February 24, 2014 the City Council will set a public hearing on this matter. Given statutory notification and publication requirements, the City Council will schedule a public hearing for March 24, 2014 at which time a decision will be made on the proposed zoning change. Please

note that these dates are merely preliminary and may be adjusted due to Planning Commission action and City Council agenda scheduling.

Respectfully Submitted,

C. Bradley Kaye, AICP
Director of Planning and Community Development

**MINUTES OF THE MEETING OF THE MIDLAND CITY PLANNING
COMMISSION
WHICH TOOK PLACE ON
TUESDAY, FEBRUARY 11, 2014, 7:00 P.M.,
COUNCIL CHAMBERS, CITY HALL, MIDLAND, MICHIGAN**

1. Roll Call

PRESENT: Hanna, McLaughlin, Senesac, Stewart and Young

ABSENT: Heying, Mead, Pnacek and Tanzini

OTHERS PRESENT: Brad Kaye, Director of Planning and Community Development;
Grant Murschel, Community Development Planner and twelve (12) others.

2. Approval of Minutes

Moved by Hanna and seconded by Young to approve the minutes of the regular meeting of January 28, 2014. Motion passed unanimously.

3. Public Hearing

- a. Zoning Petition No. 589** – the request of Tim Hortons to rezone property at 6200 Eastman Avenue from Office Service zoning to Regional Commercial zoning.

Kaye presented the application to the Commission. He explained that the property is an area of 0.63 acres. The property is on Eastman Ave. just south of Wackerly Street. The property is currently zoned OS Office Service and it is designated as Office Service by the Midland City's Master Plan.

Senesac wondered if any input has been received in support of this petition. Kaye explained that staff has not received any input in support of the petition.

Patrick Bell, 565 Grand River Avenue of Brighton, Michigan, represented the petition on behalf of Tim Hortons. He explained that the proposal is for zoning that will allow a new Tim Hortons Café and Bake Shop which will include a drive-thru. The restaurant will be a welcoming environment with free Wi-Fi, soft seating, a fireplace and flat screen TV's.

There were no public comments in support of the rezoning.

Ken Mault, of 6201 Woodpark Drive, explained that he lives behind the subject property and that he believes a commercial restaurant will only harm his neighborhood. He presented a letter by John and Judy Kawiecki, of 6113 Woodpark Drive. They could not be in attendance tonight. Mault explained that he is not opposed to business development but that development should be in the appropriate zones of the city. He is concerned about the potential increased traffic, lights and other things that would negatively impact his property and neighborhood. He presented crash statistics obtained from the Michigan State Police to the Commission.

Fred Rolph, co-owner of the building to the south at 6024 Eastman Ave., explained that his property was not allowed access onto Eastman Avenue when it was originally development and that there is a written agreement with the city to give access onto

Harcrest Street. He wondered how a curb-cut at the subject parcel would impact traffic on Eastman and if they would even be allowed access onto Eastman.

Tina Killebrew, of 6121 Woodpark Drive, explained that she is very concerned with having a commercial business located near her family's property. She is concerned with loss of privacy, additional noise and the desirability of her property. The hours of operation of the proposed business are a concern for her.

Hanna wondered if the applicant has been permitted a curb cut. Bell explained that at this time the application is for the rezoning and site design has not been discussed.

A motion was made by Senesac to waive the procedural requirements for a second meeting. The motion was seconded by Young.

YEAS: Young, Stewart, Senesac, Hanna and McLaughlin
NAYS: None
ABSENT: Heying, Mead, Pnacek, and Tanzini

Senesac explained that it is important to see this application as a petition to rezone to Regional Commercial and not to approve a Tim Hortons restaurant. He explained that this parcel was reviewed and discussed during the process of preparing the master plan. He believes that the right decision was made during that process as keeping it zoned Office Service and continuing the designation as Office Service on the master plan future land use map. He is opposed to the petition.

Young explained that the traffic impacts on Eastman Avenue and the hours of operation of a commercial business would not benefit the abutting residential neighborhood. He agrees with Senesac and is opposed to the petition.

Hanna explained her opposition to the petition. She believes that there is already a traffic problem on Eastman Avenue and additional development will not help that problem.

Stewart and McLaughlin agreed with the comments of Senesac, Young and Hanna.

Motion by Senesac and seconded by Young to recommend to City Council the approval of Zoning Petition No. 589 the request of Tim Hortons to zone property at 6200 Eastman Avenue from Office Service zoning to Regional Commercial zoning.

YEAS: None
NAYS: Young, Stewart, Senesac, Hanna and McLaughlin
ABSENT: Heying, Mead, Pnacek, and Tanzini

4. Old Business

None

5. Public Comments

None

6. New Business

None

7. Communications

None

8. Report of the Chairperson

None

9. Report of the Planning Director

Kaye informed the Commission that site plans for the Midland Place Apartments and the Midland Towne Center Storage Units were approved by City Council at their meeting the prior evening.

10. Items for Next Agenda – February 25, 2014

- a. Zoning Ordinance Updates
- b. Discussion of Sign Standards in Zoning Ordinance

11. Adjourn

Motion by Senesac and seconded by Hanna to adjourn 7:35 at pm. Motion passed unanimously.

Respectfully submitted,

C. Bradley Kaye, AICP, CFM
Director of Planning and Community Development

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE PLANNING COMMISSION

Tina Killebrew & Lawrence Hood
6121 Woodpark Drive
Midland, MI 48640

January 30, 2014

RECEIVED

JAN 30 2014

PLANNING DEPT

City of Midland Planning Department
333 W. Ellsworth St.
Midland, MI 48640

Subj: REZONING PETITION NO. 589

Dear City of Midland:

This letter is to request that the property at 6200 Eastman Avenue in Midland remain as office service and not be re-zoned for regional commercial. Our home is behind this section of Eastman, which is part of a residential neighborhood. It is very concerning to us, to think of having a Tim Horton's or other business other than office services this near to our home.

We moved to this location in 2007 and purchased our property in the belief the city zoning is correct and the city would honor the current zoning.

It is rather surprising that this rezoning would be considered given the history of rezoning attempts in this area:

In 1969 an attempt to rezone the SE corner of Eastman and Wackerly for a 20 acre shopping center was attempted (Public Hearing Date 14-October-1969). Thirteen affected families in the affected area appealed to the Michigan Appellate Court: Schilling, et al. vs. City of Midland. The Court of Appeals decision # 10876, dated February 24, 1972, indicated the area couldn't be rezoned as a shopping center. The court stated further rezoning of this property:

"... shall be made with reasonable consideration, among other things, to the character of the district, its peculiar suitability for the particular uses, the conservation of property values, and general trend and character of building and population development."

In 1985 a rezoning petition (# 264) was submitted to for construction of a Hampton Inn (Public Hearing Date: June 25, 1985). This petition was opposed as it "would be totally incompatible with residential property along Woodpark Drive which borders this parcel". Rezoning petition #264 was opposed and the city denied the request.

In 1995, zoning request #388 was submitted for the construction of a Bob Evans Restaurant (Public Hearing Date February 14, 1995). The request was for a zoning change from OS to B-2. This petition was opposed by effected residential property owners and the city denied the request.

If the property is re-zoned, it would enable a different type of business to be very close to our home, which would make the neighborhood undesirable. The concerns we have are the following:

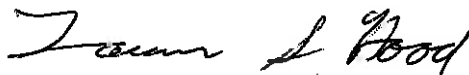
- Increased traffic for extended hours and noise very close to our home.
- Odors and vermin attracted to a restaurant.
- Reduced privacy for when we are outside in our back yard as people could easily see us outside which would interfere with our activities.
- Reduced safety due to a business being so close as people would have easy access to the backyard thus encouraging crime.
- Bright lights from the business, which reduce the privacy of our home and would disrupt quiet and darkness in the house.
- The loss of the office space buffer zone between our home and Eastman. The office service is a perfect zoning for this area, as homes are very close and those office service businesses are typically only open Monday – Friday during 8-5 PM, and very limited activity occurs during the weekend or evening times, when we would be home. Offices make good neighbors!

Our Woodpark neighbors located within 300' of the property in question, as well as other Woodpark residents feel likewise. We've collected signatures from 13 households attesting to this.

Please maintain this area as office service only (the current zoning). It is simply too close to a residential neighborhood to allow it to be regional commercial. Such a change would degrade the quality of life due to noise, reduction of property values, extra traffic, loss of privacy, and potential increase in crime. It would substantially change the area and we would never have purchased a home right near a regional commercial section. Please oppose the change in zoning; it is not a good decision for the residents.

Thank you for your consideration,

Tina Killebrew & Lawrence Hood



cc: Mr. Peter Poznak, Mr. & Mrs. Peters; Mr. & Mrs. Mault, Ms. Marie Jones; Mr. & Mrs. Elliott; Mr. and Mrs. Metevia

Attachment: Signed petition

January 2014

Neighborhood Support for 6200 Eastman Avenue to Remain Office Service

Please keep the location of 6200 Eastman Avenue as Office Space, our homes are very close in proximity and we are concerned about the loss of privacy, increased traffic, increased noise, bright lights, among other factors. Please do not allow this location to be re-zoned to regional commercial; it would bring the type of businesses that should not be in a residential neighborhood.

Name, Address, comments

1. Ken Mauls 6201 Woodpark Drive
2. John Petrus 6205 Woodpark Drive
3. Dorothy Peters 6205 Woodpark Dr.
4. Stephen Crama 6117 Woodpark Dr.
5. Juc. Hurn 6112 Woodpark Dr.
6. David J. Meterna 6109 WOODPARK DR.
7. Barbara L. Meterna 6109 WoodPark Dr
8. Randolph L. Elliott 6105 Woodpark Dr.
9. David L. Elliott 6105 Woodpark Dr.

January 2014

10. Ed & 1404 MARRIET CT
11. Wami Plutute 6116 Woodpark
12. JH Roberts 6005 Woodpark
13. Shirley Roberts 6005 Woodpark
14. Sue Pawley 6004 Woodpark Dr.
15. D & 6000 Woodpark Dr
16. Roland Wallace 5901 Woodpark Dr
17. Wanda & Anthony Bowrin
18. Jacob & Kelly Sinicola
6001 Woodpark Dr.
19. Marie Jones 6117 Woodpark Dr.

20.

21.

Sent from my iPad

Begin forwarded message:

From: Judy <judyk@nsd2003.com>
Date: February 8, 2014 at 3:06:42 PM EST
To: "maultken@yahoo.com" <maultken@yahoo.com>
Cc: Judy Kawiecki <judyk@nsd2003.com>
Subject: Proposed Rezoning of 6200 Eastman Avenue

To: C. Bradley Kaye
Director of Planning and Community Development
City of Midland
Midland, MI

Re: Proposed Rezoning of 6200 Eastman Avenue

We have lived at 6113 Woodpark Drive in Midland, MI since Feb. 14, 1988 which backs up to part of the parcel in question.

Before we purchased our lot, we decided we were satisfied with the possibility of an office service building behind us which is how that parcel was and is zoned on the Master Plan for our City.

We are in total disagreement with the possible rezoning of this parcel for many reasons.

One reason is the possibility of lights, noise, traffic and odors that would be associated with backing up to a restaurant of any kind.

Another would be the negative effect of traffic on Eastman and in our neighborhood. Our street is already known for and used as a cut through for backed up traffic on Eastman and Wackerly and it is already difficult often to get out of our neighborhood onto Eastman & Wackerly. We can't imagine the magnified mess that traffic would be with people turning into and flowing out of a restaurant in that spot.

We strongly encourage you to reject this rezoning proposal.

It would not benefit the value of our property, our neighborhood, the traffic congestion or our City at this location.

Sincerely,

John & Judy Kawiecki
6113 Woodpark Drive
Midland, MI 48640

Sent from my iPad

ZP #589 - Tim Hortons - 6200 Eastman - OS to RC

